

## EXTENSIONS OF REMARKS

## SECRETARY WATT

## HON. PETER H. KOSTMAYER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. KOSTMAYER. Mr. Speaker, I urge those, including the President, who contend that Secretary Watt is not malicious to read Mike Kelley's column in the Austin American-Statesman of September 30, 1983.

It is not only what Mr. Watt says, it is what he does that hurts.

And in this case the hurt was most direct.

As columnist Kelley points out, the Secretary caused an employee of Enserch Corp. of Dallas, Tex., to be fired solely because of his political opinions.

Mr. Watt's words as well as his conduct are reprehensible.

He is the one who ought to be fired.

[From the Austin American-Statesman, Sept. 30, 1983]

WATT'S WORST ENDANGERED ONE WORKER

(By Mike Kelley)

The greatest indecency, on the human scale, to come out of James Watt's office was not the one the current furor is over. It was getting Tim Donohoe fired and, apparently, blacklisted.

This was nearly two years ago. Watt had made his crack about never using the words Republicans and Democrats, but rather "liberals and Americans." Donohoe was a \$30,000-a-year lobbyist for Enserch Corp., parent company of Lone Star Gas. He wrote Watt, on his private stationery, saying he is an American and a liberal. He asked for clarification of Watt's remarks. A Watt aide wrote the chairman of Enserch, saying he thought the chairman would find Donohoe's letter "interesting" and invoked Watt's name. Donohoe was fired.

I talked with Donohoe by telephone Thursday in Washington, D.C. "I was out of work for about a year," he said. "It was entirely because of this episode." He says Watt's office sent a copy of his letter not only to Enserch but to the president of the American Petroleum Association. Can't be too careful. "My name is mud in this town under this administration. Nobody's going to hire me to lobby while there's a Republican administration." Who did hire him, finally, was the doorkeeper of the House of Representatives. "It's a temporary position, a low-paying position. It's been pretty devastating. I have trouble making the payments on my house. I have debts and I can't afford to pay them."

He sued the government and the company. The suit was tossed out of court. The company fought him on unemployment compensation, too, he says, but he won that.

Donohoe is 38 and a D.C. native. Before working for Texas Congressman Charles Wilson and before Enserch, he was in Catholic seminary for seven years. A real threat to the Republic.

"That's the only letter I guess I've written in my life. (The liberals and Americans crack) just struck a chord. It had come after a steady stream of that kind of rhetoric. Watt had just come out with so much stuff and finally, it just broke. I said, 'Wait a minute. He's been appointed by the elected administration. He should be representing all of us.'"

I asked Donohoe if Watt or anyone from the Interior Department ever interceded after he was fired, if anyone ever stepped in and said, "We don't want a guy fired from his job simply for asking for clarification of a comment." He says no. "Not to my knowledge. Both the company and the government (in court, where Donohoe was claiming conspiracy) said they never had any contact with each other" after his firing.

He says he's had overtures for jobs with politically active environmental groups and has refused. "I don't consider myself an environmentalist in the purest sense of the word. I'd feel uncomfortable going from a pro-development company to any of the politically active groups here."

What's it mean to him, being a liberal? "I live in a poor neighborhood and I just see the devastation in education, the cheese lines getting longer at the church up on the corner. The only people who can adequately respond to that is the government and that's what I mean by being a liberal." A real bomb-thrower.

He says he's more unhappy, disappointed with Enserch than the government. "The government will change. But the company . . . There's nothing worse than losing your job on the front page of The Washington Post."

He says he may write another letter to Watt. "When he goes, I'll write a letter wishing him luck. I hope he doesn't have as hard a time getting another job as I did."

Now, tell me one more time that if only I knew Watt personally, I'd realize what a fine, Christian man he really is.●

## UNEMPLOYMENT'S TOLL ON AMERICANS

## HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. LIPINSKI. Mr. Speaker, I would like to call attention to a serious problem in my home State of Illinois, and in other States around the country. The large number of people who are unemployed and drawing unemployment benefits has put a tremendous strain on State unemployment programs. In 1982, unemployed Illinoisans collected \$1.8 billion in compensation, while employers paid only half that amount into the State unemployment fund. The State of Illinois has had to borrow the difference from the Federal Government.

More than half the States in the Nation are suffering from a similar

problem. I urge the Congress to study this problem, and determine a suitable solution that is amenable to both the State and Federal Governments, while maintaining unemployment benefits at their current level. I would like to introduce into today's RECORD an Illinois State resolution addressing this matter.

## STATE OF ILLINOIS EIGHTY-THIRD GENERAL ASSEMBLY, HOUSE OF REPRESENTATIVES

Whereas, in recent years the State of Illinois has experienced a rapidly rising unemployment rate as this nation's depressed economy continues to inflict a heavy toll on the American labor market; and

Whereas, Due to alarming increase in the number of those joining the ranks of the unemployed, the State of Illinois has been forced to spend more and more dollars to pay unemployment compensation; and

Whereas, Unemployed Illinoisans collected 1.8 billion dollars in compensation in 1982 while Illinois employers were paying only half that amount into the unemployment fund and this discrepancy has caused Illinois to borrow the difference from the federal government; and

Whereas, Although Illinois' 2 billion dollar unemployment debt to the federal government is one of the largest in the nation, other economically depressed industrial states such as Michigan and Pennsylvania have incurred even larger debts, and some 26 states owe an amount that will total 16 billion dollars by the end of fiscal year 1984; and

Whereas, These debts which have been incurred by more than half the states in the union have resulted from national and international events beyond the control of the individual states; and

Whereas, Even without the debt owed to the federal government, the State of Illinois is experiencing financial problems so acute that it is faced with the prospect of further reducing the already reduced funding for such important programs as education and aid to the poor, the elderly and the underprivileged; therefore, be it

*Resolved, by the House of Representatives of the Eighty-Third General Assembly of the State of Illinois, That we express our profound concern over the unemployment debt problem faced by the State of Illinois; that it is our belief that the problem, in which the majority of the states in the nation share, is a national problem which can best be resolved at the federal level; and be it further*

*Resolved, That we urge the Congress of the United States to pass, and the President of the United States to sign, legislation forgiving Illinois' unemployment compensation debt to the federal government; and be it further*

*Resolved, That a suitable copy of this preamble and resolution be transmitted to the President of the United States Senate, Speaker of the United States House of Representatives, President of the United States, and each member of the Illinois Congressional Delegation.●*

# A NATIONAL TOURISM POLICY FOR THE UNITED STATES

**HON. JAMES J. FLORIO**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

• Mr. FLORIO. Mr. Speaker, today I am delighted to make my colleagues aware of a private sector initiative that could profoundly improve our Nation's competitiveness for international travel and tourism business.

This effort, I might add, is very much needed to reverse the steady decline of our country's competitive position in the world tourism marketplace. While tourism is a leading U.S. service export, our Nation's share of international tourism receipts has dropped from 13 percent in 1976 to 10.6 percent in 1982, paralleling a steady decline in the Federal promotion effort. This is, indeed, an alarming trend given the fact each market-share point is worth more than \$1 billion in foreign exchange earnings.

The time has come for our Nation to recognize the travel and tourism industry as a major force in the growth of the American economy for the decades ahead.

The travel and tourism industry is the second largest retail or service industry in the United States, as well as the second largest private employer. Its economic contributions are substantial. In 1982, for example, the industry generated 4.5 million American jobs, \$183 billion in business receipts, \$41 billion in payroll income, and over \$20 billion in Federal, State, and local tax revenue. Inbound international tourism constitutes our Nation's third largest source of export income. Last year alone, international visitors to the United States spent \$11.3 billion, generated \$640 million in Federal tax revenue, and supported 300,000 jobs.

Certainly, our current economic situation dictates we can no longer afford to ignore the demonstrated economic potential of this dynamic growth industry.

If we are to return to the 1976 world market share of 13 percent, the Federal Government must commit itself to fulfilling its proper role in adequately promoting this country abroad competitive with the efforts of other national governments.

Equally as important, however, the United States lacks a comprehensive international tourism marketing strategy which would outline what the policy, priorities, and activities of the Federal Government should be.

In response to this problem, the Travel Industry Association of America (TIA) has embarked upon a most difficult, yet very important effort. Acting in its capacity as the umbrella association representing all sectors of the travel and tourism industry, and

with the encouragement of industry leaders and USTTA, TIA has assembled a committee of senior international travel marketing executives to develop an international marketing plan for our Nation.

The objective of the International Marketing Plan Development Committee is to develop a 5-year marketing strategy to return the United States to a 13-percent market share of international tourism. This would create about 200,000 new jobs and increase foreign exchange from inbound tourism 60 to 70 percent.

On August 11, the committee met for the first time in Washington to begin developing a sophisticated marketing strategy. The industry plans to complete and submit its suggested marketing plan to Congress and the administration by the end of the year.

Mr. Speaker, the industry's cooperative effort in drafting the recommended marketing plan for implementation by USTTA could become a significant contribution to more effective use of taxpayer's dollars for Government inbound tourism promotion efforts. I believe this undertaking, coupled with a growing recognition among congressional leaders and executive branch officials of the industry's immense contribution to our economy, improves the chances that tourism will receive the attention it deserves from our Government.

As chairman of the House Subcommittee on Commerce, Transportation, and Tourism, I enthusiastically endorse the mission of the International Marketing Plan Development Committee. I would also point out that the committee also has received the endorsements of other officials in the executive and legislative branches of Government, including Commerce Secretary Malcolm Baldrige, the Congressional Tourism Caucus chairmen, and the chairman of the Senate committee with jurisdiction over Federal Government tourism promotion efforts.

I commend the voluntary efforts of those individuals involved in this worthy initiative to optimize the contribution of the travel and tourism industry to economic prosperity, full employment, and the U.S. international balance of payments.

Mr. Speaker, I ask that the names of those who serve on the International Marketing Plan Development Committee be included at this point in the Record.

The names follow:

## INTERNATIONAL MARKETING PLAN DEVELOPMENT COMMITTEE

Chairman: James C. Collins, Senior Vice President, Marketing, Hilton Hotel Corporation.

### MEMBERS

J. Kay Aldous, Vice President, Public and Government Policy, American Automobile Association.

Roger Ballou, Senior Vice President, Vacation & Leisure Travel, American Express Company.

William Blaziek, Senior Vice President Sales and Marketing, Resorts International Casino Hotel.

Chris Browne, Senior Vice President, Marketing, Holiday Inns, Inc.

Gordon L. Downing, Vice President, General Sales Manager, National Car Rental System, Inc.

Sig S. Front, Senior Vice President, Director of Marketing, The Sheraton Corporation.

Robert Giersdorf, President, Exploration Holidays and Cruises.

Edward N. Gilbert, Director, Florida Division of Tourism.

Charles Gillett, President, New York Convention & Visitors Bureau.

Elliott Heit, International Marketing Director, Tauck Tours, Inc.

James W. Hurst, Executive Vice President, Greater Los Angeles Visitors & Convention Bureau.

Samuel B. Jamieson, Jr., Vice President, Marketing, Short Line Tours.

Michael L. Jenkins, Director, Business Marketing, American Telephone & Telegraph Co.

Thomas J. Koors, Executive Vice President, Sales and Marketing, Northwest Airlines, Inc.

Jack B. Lindquist, Executive Vice President, Marketing, Walt Disney Productions.

William S. Norman, Group Vice President, Marketing and Corporate Planning, Amtrak.

Malcolm D. Pynn, President, Holiday Americas.

Don Ryan, President, Camping Group, Kampgrounds of America, Inc.

Martin R. Shugrue, Jr., Senior Vice President, Marketing, Pan American World Airways, Inc.

William D. Slattery, President & CEO, Braniff International.

Robert Smalley, Sr., President and Chief Executive Officer, American Land Cruisers.

Bradley Smith, Executive Director, Foremost West, Four Corners Regional Tourism Organization.

Brian Smith, Vice President, Marketing, Busch Entertainment Corporation.

John Stockton, Vice President, Marketing, Roy Rogers Restaurants.

John A. Ueberroth, President, Ask Mr. Foster, First Travel Corporation & Ask Mr. Foster Travel Service.

Terry L. Underwood, Vice President, Passenger Marketing, Greyhound Lines, Inc.

A. Russell Upshaw, Jr., Vice President, Government Affairs, Eastern Air Lines, Inc.

### EX-OFFICIO MEMBERS

William H. Edwards, National Chairman, Travel Industry Association of America, and President, Hilton Hotels Division, Hilton Hotels Corporation.

William D. Toohey, President, Travel Industry Association of America.

### TECHNICAL STAFF MANAGEMENT

Michael F. Sarka, Senior Vice President, Travel Development, Travel Industry Association of America.

Thomas G. Lloyd, Senior Policy Analyst, Travel and Tourism Government Affairs Council.

Dr. Douglas C. Frechtling, Director, U.S. Travel Data Center. ●



CARL YASTRZEMSKI

**HON. NICHOLAS MAVROULES**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● **Mr. MAVROULES.** Mr. Speaker, in a brilliant career spanning two decades, Carl Yastrzemski thrilled baseball fans from coast-to-coast with hitting and fielding feats spawned from the qualities that set Yaz above the rest: determination and dedication.

On Sunday, October 2, 1983, the man Boston fans affectionately call "Captain Carl" played in his record 3,308th and final game before an overflow crowd of Fenway faithful.

In both his professional career and his private life Yaz embodied all of the qualities that separate good men from great men. His loyalty to his team and his fans, as well as his countless civic contributions, will be sorely missed.

The text that follows is Joe Giuliotti's Boston Herald article from Monday, October 3, 1983. So long Captain, we love you.

[From the Boston Herald, Oct. 3, 1983]

**YAZ TAKES FINAL BOW**

(By Joe Giuliotti)

The tomorrow that never was going to come arrived yesterday. Carl Yastrzemski walked off the field wearing a Red Sox uniform as a player for the last time.

"I just feel super right now. It's the best I've felt in a long, long time," he said, a half-hour after walking off the field to a long and tremendous ovation in Fenway Park.

"I'm very relaxed. I've been emotionally drained these last few days, but right now I feel absolutely super. I feel 10 years younger right now than I did 15 minutes ago."

When he walked into the dugout in the top of the eighth, after being replaced by Chico Walker, Yaz said "there was no sadness, absolutely no sadness."

"I never thought I'd get through the first two and one half months of 1961 (he said he was hitting .221) and I lasted 23 years. I loved every minute of it."

Yastrzemski then paused at his champagne press conference held on the Fenway Park roof to toast the media. Then, pausing, he made another speech: "I wish that some of the guys (reporters) I started with were here. Those who I travelled with in my earlier years, to them also." (Three of the deceased were Fred Clampa, Bill Liston and Larry Claflin of the Herald-American.)

After his press conference, Yastrzemski, returning to the clubhouse for the last time, noticed fans ringing the ballpark. He went out into the street and signed autographs.

Ninety minutes after the final out he walked back for one last look at a dark, empty Fenway Park.

Still wearing the uniform, except for the shirt which should, someday, be retired, and holding a bottle of champagne, he looked around the four corners of the park. It was as though he never wanted to leave.

"I'm really, really sincerely happy right now," he said. "I can't wait to get to Florida Monday to do some fishing, come back here, do some work, then return to Florida to plan some trips for my kids. I haven't done that for 23 years."

Yastrzemski revealed that during the expansion draft of 1976 when Toronto and Seattle came into the league, he told Tom Yawkey not to protect him but rather save one of the younger players. He said he wouldn't go in the draft, which was his right as a 10-year player, five with the same team.

"A few days before the draft I was contacted by both teams, particularly Toronto," he said. "They told me if I signed with them the contract would be honored by one of the New York teams. I didn't know which one (Yankees). I called Bob Woolf and told him to see if we could make a deal. Fifteen minutes later I called him back and told him I had given my word and to forget about it."

"Five years, or whenever it was that I became a free agent, I knew what was out there. I knew how much money I could have made from a few teams. I could have made three times as much with them. But I was happy here, happy because of the fans and media. I was very comfortable and that meant more to me than money. And, I've been treated fairly by the Red Sox."

Yastrzemski, who confessed he was trying for a home run on his last at-bat when he popped up a 3-0 pitch ("It was a foot over my head, but I had made up my mind I wanted to hit one."), thinks he's leaving a club with the nucleus of a winner.

"I think this has been a fluke year where it wasn't meant to be, where every mistake we made cost us a ballgame," he said. "But next year, with a few changes, I think this is going to be a hell of a club. The young pitchers gained the experience this year where they should be able to take the club into the seventh inning. There should be no excuses for the pitching staff."

Then, reliving his final at-bat, he said, "I read every sign in the park and every emotion in every face. I always want to remember that."

"Today and yesterday were two different type days," he went on. "Today was my last day. I knew there were people here that were not Saturday and that's why I ran around the field again to show my appreciation."

"Today was the last time I'll ever wear a Red Sox uniform. Right now, that's hard to believe."

When Yastrzemski was removed from the lineup in the seventh, his teammates left their positions to shake his hand.

Then, with the fans chanting "We Want Yaz" at the conclusion of the game, he emerged again to a tumultuous ovation and waved goodbye. He took his final lap around the field where he provided baseball fans with numerous thrills for 23 years, and was gone from the Boston baseball scene. ●

**CROWDING OUT: IS HOUSING THE CULPRIT?****HON. FERNAND J. ST GERMAIN**

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● **Mr. ST GERMAIN.** Mr. Speaker, today, David O. Maxwell, Chief Executive Officer of the Federal National Mortgage Association delivered a speech to the Public Securities Association.

I commend the speech to all who are interested in the subject of housing

and, more particularly, home financing.

In my opinion, Mr. Maxwell, in a well-reasoned analysis, puts to rest the myth that home financing crowds out other investment needs.

For those who may not be familiar with Fannie Mae, a unique institution created by Congress, Mr. Maxwell describes the important role and function the organization performs in providing long-term mortgage money for homeowners.

(Remarks of David O. Maxwell, Chairman and Chief Executive Officer, Federal National Mortgage Association)

Today I'm going to speak to you about a subject that has been troubling many of us who are deeply engaged in financing homes for Americans. Our ongoing national debate about the economy in general—and about housing and home finance in particular—reflects some serious misunderstandings, about the purposes, forms and effects of governmental involvement in the credit markets. As the leader of the Federal National Mortgage Association—otherwise known as FNMA or Fannie Mae—a key government-sponsored financial intermediary, I believe it is imperative that I begin to try to set the record straight—at least in the realm of housing finance.

First, I will address directly the issue of "crowding out": Whether housing in general, and FNMA specifically, is unduly advantaged in competing for a share of our nation's savings pool, thus driving up interest rates and unfairly displacing other types of investments. In the course of this argument I will clarify the critical differences between consumers of credit and financial intermediaries like FNMA.

Second, I will turn to a concern that frequently underlies "crowding out" rhetoric: This subject is government support for housing the American people.

Third, I will focus on the particular mechanisms our nation employs to support its mortgage finance system. And I'll define the vital role FNMA plays within this system.

Let me begin with the issue most often raised: the borrowing we do to finance our own mortgage portfolio. Since joining FNMA two years ago, I have repeatedly heard it charged that FNMA's discount note or debenture offerings drive up interest rates on Treasury securities, or crowd out other forms of borrowing.

I must confess that I am puzzled as to why some people believe this. FNMA is a financial intermediary. Every dollar FNMA borrows in the capital markets by issuing a debenture or a discount note, we put back into the home finance market—by buying a newly originated home mortgage or by refinancing an old one. And so, our activities in the capital markets do not "crowd out" other borrowers—any more than do the deposit-gathering and relending activities of banks and thrift institutions. Like a bank or thrift, FNMA does not actually consume the money we borrow; we channel this money to mortgage bankers, commercial banks, and thrifts, who in turn lend it to people to buy homes.

Those who claim baneful side effects to FNMA's intermediary function often make that claim without offering any proof. Indeed, we are aware of no serious work that demonstrates a causal link between FNMA's borrowing volumes and interest

rate levels, interest rate spreads, funds flows, or the relationship between short-term and long-term interest rates. Perhaps I am biased. But I strongly suspect that this is because no such relationship exists.

By the same token, it is the very willingness of FNMA to accept our liabilities in one form while lending them out in another that helps keep mortgage rates from going even higher. This is because as an intermediary FNMA makes the connection between the mortgage and financial markets more efficient, in part by directing funds from capital surplus areas to capital short areas and by remaining in the market in bad times as well as good.

Treasury borrowings and agency borrowings are frequently lumped together in discussions of financial market crowding out. In reality, however, there is a world of difference between the two. Proceeds from Treasury borrowings for example—unlike FNMA's—are not put back in the credit market; they are used to make up the shortfall between tax receipts and expenditures. In this sense, Treasury borrowings truly do deplete the nation's savings even when federal funds are efficiently spent for good and necessary purchases. To use a simple analogy, the nation's stock of savings can be compared to a swimming pool. The Treasury takes many bucketfuls out—and keeps them out. FNMA merely scoops a few bucketfuls out of the shallow end—that is, the short and intermediate markets—and puts them right back into the deep end—the long-term mortgage market. To equate the crowding out by an end user of credit like the Treasury with the operations of a financial intermediary like FNMA reflects a stunning misunderstanding about how intermediaries really work.

Therefore, the assertion that FNMA contributes in any way to the federal deficit is totally inaccurate. Indeed, if FNMA did not exist, the federal deficit would not be one penny less.

So FNMA's own borrowings cannot properly be called a cause of "crowding out." Some commentators, however, make a further charge: That FNMA's channeling of funds into home mortgages causes "too much" credit to flow to the housing sector, thus "crowding out" other potential users of capital.

Invariably, this accusation focuses on shares of funds raised in the credit markets. For example, someone looking at credit share data for 1975 and 1976, a great boom period for housing, could say: "Mortgage borrowing rose from 21.8 percent of total funds raised in one year to 26.2 percent the next, so some other sector has been 'crowded out'." But such a characterization of "crowding out" fails for two reasons:

\*First, the total volume of funds raised is not at all fixed in absolute terms or as a percentage of GNP. Nonfinancial debt can grow as a percentage of GNP. In fact, one sector can—and very often does—expand its own borrowing at no expense whatever to another sector, simply by coaxing more funds to enter the credit markets.

\*Second, the "share of the credit markets" approach to the subject of "crowding out" overlooks the reality that a declining share of credit raised does not necessarily imply declining command over real resources. Thus, corporations may borrow less because of increasing cash flows without actually reducing their investments in plant and equipment.

In the first half of 1983, nonfinancial corporations were making capital expenditures

at an annual rate of \$227 billion, about the same as the total of \$231 billion in 1982. Yet their borrowing in short-term and long-term debt markets dropped precipitously—from a total of \$73 billion in 1982 to an annualized \$38 billion in the first half of this year. Looking at only the credit markets, one might conclude that the business sector was "crowded out"; in fact, business investment was actually just about the same! Flows of funds in the credit markets simply do not always reflect what is happening in the real economy.

The critical question is not the share of credit that any one sector is able to attract for itself; it is whether credit market conditions allow each major sector to command the real economic resources it needs. By this measure, housing is much more often a victim of "crowding out" than a cause of it. As everyone knows, spending on housing is notoriously interest-rate sensitive. Whenever a bidding war occurs in the financial markets, homebuyers are almost always the first to suffer.

It's easy to see why. Borrowing to finance federal spending is totally insensitive to interest rates; the Treasury simply bids for the funds it needs—and gets them. Nonfinancial corporations enjoy their own advantage: More than two-thirds of their investment spending is financed not by borrowing, but by retained earnings and depreciation. Net interest costs for these types of businesses amount to only about 4 percent of their total costs—and often even these costs can be passed on to the consumer.

None of this is true in the housing market. Just a two percentage point rise in the mortgage rate, from 12 to 14 percent, will raise the monthly payment on a \$60,000 home loan by more than 15 percent. For a family of four, already pressed to pay its bills, the difference between \$617 a month and \$711 a month can be the difference between buying and not buying a home. Homebuyers have no one to whom they can pass these costs. And so many homebuyers, when rates go up, are compelled to cancel their plans. They are, one might say, "crowded out."

I have already talked about the ability of government to bid funds away from housing and, indeed, almost any other user of credit. But housing is also out-bid by the corporate sector. To see how, let's consider residential investment as a percent of total investment over the last 20 years. Since 1962 we've been through four economic cycles. In the first three of the four cycles, residential investment as a percent of total investment averaged 28 percent—and there was little variation from one cycle to the next. During the first two years of these cycles, interest rates were relatively low—and residential investment accounted for nearly 31 percent of total investment. In the final two years of these cycles, however, rates were generally higher—and housing's share of investment spending fell to 26.1 percent. In the 1980-82 cycle, interest rates were as high as they have been in the past one hundred years, and you know what happened: Housing's share of total investment plummeted, to just 21.9 percent, a decline from 25.6 percent at the beginning of the cycle in 1980.

In the years ahead, housing may be even more vulnerable to "crowding out" pressures. The federal government is expected to run deficits in the neighborhood of \$200 billion for the foreseeable future. Treasury borrowing thus threatens to soak up about half of the net private savings in the economy for the next several years; more than

triple the amount of savings the Treasury has typically absorbed since the Sixties. Such unprecedented pre-emption of savings by the government necessarily means that many investment demands will go unmet; all our experience suggests that the resulting high interest rates will cause housing to suffer disproportionately in the scramble for credit.

Let me turn now to another aspect of the "crowding out" issue: the role of government in the housing industry. We all know that housing receives the benefit of a number of federal supports. There are tax preferences, such as the deductibility of mortgage interest and property taxes. There are rent subsidies. And there are various forms of financing assistance. Such supports have the undeniable effect of shifting the allocation of resources toward housing, or at least of offsetting other governmental incentives that direct resources to other sectors. These supports allow the American economy to achieve a higher level of housing activity than might otherwise be possible. Now, some people call this "crowding out." They contend that such federal assistance permits housing to "crowd out" other types of spending that might have taken place had housing not been helped.

They are right—at least in part. By allocating resources to housing, we do get more housing—and undoubtedly less of something else. But "crowding out" is not an adequate description for this process. In my view, it is really more appropriate to call this a decision of public policy. After all, housing is by no means the only area in which the government influences the allocation of resources. The government allocates resources in hundreds of ways that don't always follow the dictates of a purely free market. That is how we enjoy public goods such as defense spending or highway construction—goods that simply would not be produced without the involvement of the government. That is how millions of our citizens obtain health care, retirement income and veterans benefits. That is how farmers get price supports and businesses get accelerated depreciation allowances.

The government transfers resources in a host of ways: direct outlays, tax deductions or credits, tax exemptions, regulation, government sponsorship, credit assistance, loan guarantees and direct loans. Taken together, the government's various means of reallocating resources probably have some impact on virtually every good or service produced in our economy.

One can argue—and many do—that the government gives too much assistance to this or that economic or social end. And some people argue even more strenuously that government gives too much support to housing. I strongly disagree—for several reasons. The most compelling reason is that support for the housing industry pays important social and economic dividends. Homeownership is a significant stabilizing force in our economy; the purchase of a home is an important goal that motivates millions of productive people.

In addition, housing makes a substantial contribution to the economy in its own right. For example, it directly provides 1,700 jobs for every 1,000 single-family units built, exclusive of jobs in related industries, like appliances and furniture manufacturing. Housing has also led the economy out of every post-World War II recession, including the most recent one.

In 1983, housing construction activity in the United States is expected to provide



nearly 2.5 million jobs for workers in the construction and building supply industries, and to generate \$45.3 billion in wages for these workers. Total expenditures for construction of single-family units and multi-family apartments are expected to exceed \$100 billion. Thanks to the "multiplier effect," the overall contribution of new housing to GNP should exceed \$200 billion, which is six percent of the total. Its contribution to federal, state and local tax revenues should exceed \$20 billion. The sale of existing homes also contributes to employment, tax receipts and national prosperity.

Moreover, the supply of housing is especially important now because the nation is trying to house the post-war "baby-boom" generation, which has reached homebuying age. We estimate America will need approximately 10 million new homes before the end of the Eighties to meet the needs of this generation. Failure to fulfill this housing need will not only put upward pressure on home prices, thereby fueling inflation, but could also have important social costs.

The most efficient and low-cost mechanisms for supporting housing occur in the area of mortgage finance. FNMA itself is an obvious example of this. Unlike many other participants in the mortgage market, or privately owned businesses generally, FNMA is restricted to only one business purpose: support of the residential mortgage market. In return for this specific commitment to housing, FNMA's congressional charter confers on us a number of federal attributes that undeniably enable us to support homeownership in America in the manner and on the scale we do—at no cost to the taxpayer.

We should not forget that FNMA is not unique in this respect. The same kinds of characteristics enable the Farm Credit System to provide resources for agriculture, the Federal Home Loan Banks to maintain the liquidity of thrift institutions, and Sallie Mae to provide a market for student loans. Moreover, FNMA is not alone among federally chartered, privately owned financial institutions that invest in mortgages in receiving certain government benefits. The Federal Home Loan Mortgage Corporation, or Freddie Mac, comes immediately to mind. But there are others:

Savings and loans, for example, have nearly three-quarters of their liabilities guaranteed by the FSLIC, an agency of the United States government. And this is a full faith and credit guarantee; Congress last year passed a resolution backing both federal deposit insurance agencies regardless of the strength of their balance sheets. Savings and loans, along with other savings institutions, also have a special bad debt reserve, based on investment in mortgages, that lowers their federal tax rate.

Commercial and mutual savings banks get over half their liabilities in government-insured form.

Another group of mortgage investors—state and local housing authorities—raise money in the tax-exempt bond market.

The income from mortgages held by pension funds, to cite another example, is not subject to taxation. And that from mortgages held by insurance companies is taxed at a low rate.

This is, I'm sure you'll agree, quite an extensive network of federal support. And so I find it perplexing that FNMA is so often referred to as "the government" in discussions of mortgage finance—while other investors are considered to be "private." To be sure, some mortgage brokers or guarantors of mortgage-related securities can and do oper-

ate without government support. But unlike FNMA they do not invest in mortgages for their own portfolios. The fact remains that no one invests in mortgages and holds them in portfolio without significant federal support. So FNMA is not unique in this respect.

Federal assistance to any financial institution can, of course, be changed. There is continual debate about the proper degree of governmental involvement in various areas of the economy, and mortgage finance is no exception to this. Recently, for example, the debate has involved a number of topics related to housing finance: permissible asset powers for thrifts; the phase-out of rate ceilings on deposits; the role of federal deposit insurance; the effectiveness of tax-exempt mortgage revenue bonds—and, I might add, the proper role of FNMA. This is as it should be: Such debate—such continual re-evaluation—helps maintain the efficiency of our financial system. We at FNMA have no disagreement with that process.

Indeed, FNMA has been involved in some of this ongoing debate over the past several months. Early this year, we submitted to Congress several requests for improvements in the legislation that affects our operations. The deregulation of the primary financial market altered the environment in which we operate; we sought amendments to our charter so that we could maintain our service to the market in this new setting.

The ensuing debate—to our consternation—made it abundantly clear that many people do not know where our company fits within the framework of mortgage finance. FNMA, in fact, may be the least-understood privately owned major corporation in America—though we are the nation's fifth largest company measured by assets and our stock is week-in and week-out one of the most actively traded on the New York Stock Exchange. Many people do not even realize that we pay federal income taxes—but I assure you the Treasury knows.

FNMA is engaged in two separate businesses: The mortgage investing or portfolio business provides one service; our mortgage guaranty or pass-through business provides a different service.

Our portfolio operations add value to the housing system in three major ways. First, they enable us to support a wide variety of mortgage products. The fact that we buy mortgages for our own account, rather than strictly for resale through mortgage-backed securities, means that we can purchase a far more varied menu of mortgage types than can be accommodated by the much more standardized pass-through market. This enables homebuyers and lenders to exercise their preferences for mortgage type in the marketplace.

Second, FNMA is always in the market, in good times and bad. Last year, one of the worst for housing since the Thirties, provided a classic example of our reliability. In 1982, we purchased a record \$15 billion in home mortgages, roughly one of every seven mortgages originated in the United States that year. We also issued \$14 billion in mortgage-backed securities. In contrast, other investors in mortgages have not been so reliable. For example, insurance companies have nearly abandoned the housing market over time. Other lenders have sharply reduced their purchase activities exactly at the point in housing cycles that help is most needed.

Third, FNMA's portfolio operations enable us to tap a different segment of the capital market—the intermediate-term

market. We are not a depository institution whose main source of funds is short-term consumer savings. And we are not a life insurance company or pension fund, whose funds tend to be longer term contractual payments. In contrast to such institutions, FNMA finances a healthy portion of its home mortgage purchases with three-to-seven year debentures. This is a segment of the credit markets to which the mortgage market would otherwise have little access.

It is also revealing that banks and thrift institutions purchase more than half of FNMA's debentures. By such purchases, these depository institutions are apparently "pooling" their interest rate risk with FNMA's. These institutions, rather than funding all their long-term mortgages with short-term liabilities, are taking some of their shorter term funds and investing them in FNMA's debentures. FNMA, in turn, takes the proceeds from these debentures and invests them in mortgages. Thus we "split" the funding mismatch, and in this way, each institution can reduce its portfolio risk; can maintain an adequate return on investment; and can also make funds available to housing.

FNMA's Mortgage-Backed Securities serve two important functions in facilitating mortgage finance. First, they are a low-cost, efficient means of transforming home mortgages into securities. Second, they provide depository institutions with much-needed liquidity. In two years we have issued more than \$26 billion of these securities.

But FNMA's Mortgage-Backed Security, useful as it is, has not escaped accusations of "crowding out." When people discuss this issue they often talk as if the mortgage-backed securities market were the total secondary market in mortgages. This is far from the case.

The fact is that what might be labelled purely private transactions have accounted for nearly 40 percent of all secondary mortgage market activity over the past five years—excluding swaps of seasoned loans. Most of these private transactions involve sales of whole loans or participations directly to final holders, as well as sales through private mortgage guarantors.

These purely private transactions—far from being "crowded out"—have actually achieved a greater share of the secondary market than even the government-guaranteed agencies. As compared to the 40 percent share accounted for by purely private transactions during these same five years, transactions with government-guaranteed agencies—the Government National Mortgage Association and the Farmers Home Administration—have accounted for less than 35 percent of secondary market activity. Transactions with government-sponsored agencies—FNMA and the Federal Home Loan Mortgage Corporation—have accounted for only about 20 percent of secondary market activity. State and local government agencies account for the remaining five percent.

People who contend that agency securities prevent the development of a private market probably mean to say that agency mortgage-backed securities have impeded the development of private mortgage-backed securities. But even this is wide of the mark. The limited popularity of private mortgage-backed securities has much more to do with the private market for whole loans and participations than it does with competition from the sponsored agencies. Most investors prefer to purchase whole loans or participations, rather than private

mortgage-backed securities. Why? Because they are unwilling to pay what a private guarantor has to charge to transform an ordinary mortgage into a private mortgage-backed security. This would be true whether agency mortgage-backed securities existed or not.

The transformation of a mortgage into an agency mortgage-backed security, on the other hand, provides real value. This is why these securities have become so popular over the last dozen years. It is a legitimate question of public policy, of course, whether the mortgage-backed security business is a proper function for federally sponsored or federally guaranteed agencies. But those who raise this issue should not delude themselves: Barring the agencies from dealing in mortgage-backed securities would almost certainly result in higher interest rates on mortgages and thus reduced affordability for housing.

Make no mistake about it: FNMA welcomes as much participation in the secondary mortgage market as is possible because that market must be extremely large in the Eighties to meet the demand for housing at the same time it fulfills the desire of newly deregulated primary lenders to sell their home loans. But we do not think it follows that the role of agency mortgage-backed securities must be diminished to accommodate the new players. And we submit that makers of public policy must always bear in mind that the ultimate objective is to finance homes for the American people at the lowest possible cost.

Indeed, as the Vice Chairman of the Board of Governors of the Federal Reserve System, Preston Martin, stated recently in testimony before the United States Senate Subcommittee on Housing and Urban Affairs:

"... I would like to remind the subcommittee that housing finance is likely to be the first casualty in any future 'crowding out' of private financing occasioned by the huge structural federal deficits that are on the horizon. It would be unfortunate, indeed, if this problem were compounded by inefficient market mechanisms."

I have discussed these issues in detail because they cannot be taken lightly. Sometimes people attach labels like "crowding out" to financial activities without thinking through what really occurs in the marketplace. To set the record straight:

FNMA's borrowing does not drive up interest rates on Treasury securities or "crowd out" other forms of borrowing. We, like a bank or thrift, are a financial intermediary. Every dollar we borrow in the capital markets we put back into the home finance market.

FNMA's service as an intermediary makes the connection between the mortgage and financial markets more efficient, thus permitting housing to compete with other capital needs for investment dollars.

FNMA is also key to maintaining a more stable flow of money into the home mortgage sector. We are in the market year-in and year-out, providing mortgage money and helping to keep mortgage rates down exactly when housing needs aid the most.

The charge that FNMA causes "too much" credit to flow to the housing sector falls for two reasons. First, it incorrectly assumes that the pool of funds available for investment is fixed. Second, it ignores the reality that shifts in credit shares often do not reflect changes in investment shares. What we really must examine is whether each major sector of our economy gets the real economic resources it needs.

When we examine which sector loses out in a battle for financial resources, the facts reveal that housing is the sector that has to retreat. Spending on housing is notoriously interest-rate sensitive, and homebuyers cannot turn to alternatives such as tapping retained earnings or passing on costs to consumers.

The blows to housing's share of total investment that we experienced in the past few years may be even more punishing in the near future. The unprecedented preemption of savings by the government to finance its deficit will likely "crowd out" housing before any other sector.

The government has offered many types of federal assistance to encourage homeownership and to ease housing's sensitivity to interest rate swings. But housing is, of course, not the only area in which the government influences the allocation of resources. It is sensible to subject all these public policy decisions to continual re-evaluation. But we shouldn't do so in ignorance of how the policies really operate and how our nation benefits.

The most efficient and low-cost mechanisms for supporting housing occur in the area of mortgage finance. FNMA is the keystone of this system.

In return for receiving certain benefits from the federal government, benefits similar to those received by other private mortgage investors, FNMA operates with only one business purpose: to support the home mortgage market. Our portfolio investment is a particularly important element of this support, not duplicated by any other single significant institution. Thus, our federal attributes enable us to bolster homeownership in America in the manner and on the scale we do—at no cost to the taxpayer.

FNMA is a creative policy instrument that combines two of America's strongest suits: a reliance on the market and the objective of making it possible for Americans to own their homes. The far-sighted people who conceived of FNMA have no cause for self-flagellation. We have fulfilled our mission to help housing at the same time we have made the connection between America's finance and mortgage markets more efficient. I am confident that everyone who understands what we really do and how we do it will continue to back FNMA's performance of its critical task of financing homes for Americans. ●

#### ASPARTAME: NOT A SURE BET

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. GEJDENSON. Mr. Speaker, today I rise to express a number of concerns I have about a new sweetening product, Aspartame, recently introduced to the market for use in both dry foods and in carbonated beverages. Most of you will recognize this product by its commercial names, NutraSweet and Equal. I would like to take this opportunity to briefly outline the regulatory history of Aspartame's approval and the objections made by a number of scientists and consumer groups. I feel that once my colleagues have studied these facts they will agree that some restrictions must be made upon

the use of Aspartame, especially since so many questions remain about its safety.

The debate about the potential health hazards of this product is mainly between the FDA and the manufacturer on the one side and the consumer groups and a number of dissenting voices in the scientific community on the other. The FDA has allowed Aspartame to be produced in both carbonated beverages and dry food products based on studies done over the past decade. The consumer groups and the scientists that I have contacted are convinced that, based on their studies and new evidence that has been developed, Aspartame's unregulated use must still be questioned. Although most people agree that the risks associated with Aspartame are fewer than those associated with saccharin, it is felt that Aspartame was approved by the FDA prematurely and that further tests must be made to insure its safety.

In July 1978, Aspartame received its initial approval by the FDA but certain restrictions were imposed. First, a label must be placed on products containing Aspartame bearing the statement, "Phenylketonurics: Contains Phenylalanine." This label is necessary for a group of people in society who suffer from a rare disease, Phenylketonuria [PKU], a condition that prevents the metabolism of the amino acid, phenylalanine. Second, when utilized as a table sweetener, a label is required to bear instructions that Aspartame is not to be used in cooking. When exposed to prolonged heat, Aspartame breaks down into an undesirable compound, diketopiperazine [DKP]. And lastly, if used for special diets, the FDA's special dietary food regulations must be implemented.

Several formal objections were made at this time by a number of people. Specifically, John W. Olney, M.D., and James S. Turner, Esq., felt that when ingested by children, Aspartame may cause brain damage and result in mental retardation, endocrine dysfunction, or both. Due to these objections, the FDA placed a stay on the authorization of the product for commercial production.

In December 1978, the manufacturer publicized the results of its 2-year study and concluded that its previous tests were valid. Consequently, the FDA established a board of inquiry to be composed of three independent scientists in order to clarify three issues. First, the board was to determine whether or not Aspartame posed a risk that would result in mental retardation, brain damage, or effects on the neuroendocrine regulatory system. Second, the board was to determine whether the indigestion of Aspartame would lead to the growth of brain tumors. Last, if it were concluded that



Aspartame should be approved by the FDA, what restrictions should be imposed on its use.

The independent board recommended on October 1, 1981, that the FDA should refuse to approve Aspartame. The board maintained that Aspartame would not pose an increased risk resulting in mental retardation, but did not rule out the possibility that Aspartame may cause brain tumors and suggested that the evidence may indeed indicate that Aspartame induced brain tumors in animals.

The Commissioner of FDA, Arthur Hull Hays, Jr., overruled the board's recommendation. On October 8, 1981, Aspartame became available for use in dry food products and on July 8, 1983, the FDA amend its earlier decision and allowed its use in carbonated beverages.

Despite the FDA's approval of this product, there are still a number of people in the scientific community who continue to question the potential hazards of its use. The Center for Science and the Public Interest and Dr. Woodrow C. Monte, professor at Arizona State University, have requested that FDA respond to questions of Aspartame's safety for use in hot foods; the possibility of nitrosamine formation; the safety of formation of methyl alcohol through breakdown of Aspartame; the toxicity of diketopiperazine; and the adequacy of label warnings for phenylketonurics and other people who need to avoid phenylalanine, and therefore, Aspartame.

Mr. James S. Turner, Esq., and the Community Nutrition Institute have filed a petition to the FDA objecting to Aspartame's approval and to request that the FDA hold a public hearing to consider the objections that have been raised. The petition states, "Petitioner objects to and requests a hearing on regulation 172.804 because the Commissioner and the agency have not adequately dealt with newly presented information that Aspartame at the permitted dietary levels might cause mental retardation, brain lesions and other effects."

An objection to Aspartame's approval was also made by Richard J. Wurtman, M.D., a scientist and professor of neuroendocrine regulation at the Massachusetts Institute of Technology. Dr. Wurtman is concerned that unlimited amounts of Aspartame can have adverse effects on the brain, thereby affecting behavior, and concluded that the FDA should be required to set limits on its use.

Mr. Speaker, with your permission I would like to submit a letter from Dr. Wurtman to Dr. Sanford A. Miller, the Director of the Bureau of Foods at the FDA, which details Dr. Wurtman's concerns about this product.

MASSACHUSETTS INSTITUTE  
OF TECHNOLOGY,  
Cambridge, Mass., August 29, 1983.

Dr. SANFORD A. MILLER, Ph. D.,  
Director, Bureau of Foods,  
HFFI, Food and Drug Administration,  
Washington, D.C.

DEAR DR. MILLER: Thank you for your letter of August 12th relative to my concerns about the FDA's approval of incorporating unlimited amounts of aspartame into soft drinks. While—as you might anticipate—I disagree with all of its conclusions, I am certainly pleased that communication between us on this topic is now bilateral. I reiterate my willingness to expand this dialogue by my visiting the Bureau of Foods, and by having you and those of your associates who are most involved in aspartame visit my own laboratories. We are now obtaining data on aspartame's functional effects (e.g., on cardiovascular and behavioral processes) which should soon lead to another publication, and which we will be happy to share with the FDA, just as we have shared all of our previous data.

My comments on the conclusions stated on page 12 of your letter are as follows:

1. Aspartame does affect "... the level of the neurotransmitter serotonin", and "its primary metabolite, 5-hydroxyindole acetic acid in the rat brain": It blocks the physiologic increases in these indoles caused by eating carbohydrates. I suppose if we could be absolutely certain that no one would ever eat a carbohydrate at the same time they consumed an aspartame-sweetened soft drink we wouldn't have to be concerned with this effect. But surely the Bureau of Foods recognizes that many Americans consume pretzels or potato chips or peanut-butter-and-jelly sandwiches, etc., at the same time they drink a soda. The changes in serotonin produced by those pretzels, and so forth, are normal, and important in brain function; without them, some people are likely to eat much more of the carbohydrate than would otherwise be the case. High-dose aspartame blocks these changes.

2. Yes, consuming adequate quantities of a protein would block the glucose-induced increases in serotonin synthesis and secretion, just as aspartame does. But this is not something to be pleased about: As a reporter for the Washington Post (Sandy Rovner) pointed out several months ago, the artificial sweetener fools the brain into thinking that one has just consumed a protein-rich meal, and should now eat more carbohydrates. Surely this is not a desirable effect for a diet aid.

3. As we first showed, (Scally, et al., J. Neur. Trans. 41:1-6, 1977) giving supplemental tyrosine does not enhance catecholamine synthesis in quiescent neurons. However neurons aren't always quiescent: If we could be certain that no one whose clinical state has activated particular catecholaminergic neurons would drink aspartame-sweetened sodas, that would be one thing. However surely we can anticipate that some people with, for example, hypertension or Parkinson's Disease or hyperkinesia, or those taking monoaminergic drugs, may also drink the sodas now and then.

If the FDA intends to allow American soft-drink companies to use very high aspartame concentrations, perhaps the answer is to require appropriate labelling, i.e., placing a warning label on the bottle indicating that certain types of people should avoid drinking it because of its aspartame content.

4. (See comments on #3.)

5. It's true that data from studies on sub-human species aren't always easy to extrapolate to humans. However that caveat doesn't apply only to studies involving behavior: I'm certainly not an expert on saccharine, but my understanding is that no experimental or epidemiological evidence has ever been presented showing that that sweetener increases the likelihood of cancer formation in humans, only in rodents; yet the rodent data have become the basis of public policy. Surely it's important to look, to see whether the neurochemical changes induced by high-dose aspartame (especially when taken with dietary carbohydrate) do or do not cause functional changes.

Incidentally, media accounts have described the Bureau of Foods as being skeptical that it is even possible to measure behavioral effects of foods and nutrients in people (i.e., because behavior is so difficult to quantify). Surely these accounts must be in error: We both know many excellent scientists—including those working in government laboratories, like the NIH—who do exactly this sort of work, and who would doubtless be able and willing to examine aspartame's effects.

6. As you must know by now, the reference cited in the July 8, 1983 issue of The Federal Register (in support of the view that dietary phenylalanine and aspartame lack physical and behavioral effects in monkeys; the Walsman Study) showed exactly the opposite, i.e. all of the test monkeys with elevated plasma phenylalanine levels underwent seizures (1). Moreover, reference 3 (the four Stegink references) cited as showing a lack of effect of aspartame on human mood or performance, contained no data on mood or performance or any other behavioral variables.

Kindest personal regards.

Cordially yours,

RICHARD J. WURTMAN, M.D.

Since Aspartame was approved for use in carbonated beverages, the main producers have been combining saccharin and Aspartame. The reason for employing both sweeteners is that the costs associated with the production of Aspartame are much higher than saccharin. For a sweetening power equivalent to a pound of sugar, Aspartame costs 45 cents, sugar 29 cents, and saccharin 1.3 cents. In the near future, saccharin will be phased out and as Aspartame's manufacturing costs are decreased, Aspartame will be phased in as the primary sweetening ingredient, thus substantially increasing the amount of Aspartame used in each product.

Knowledge of this product and whether or not it causes adverse health effects is still unknown. For this reason, I feel that Congress must take the necessary steps to insure the safest possible use of this product. I am, therefore, introducing a bill that would require the FDA to establish a maximum concentration limit on the use of Aspartame. Many of the studies indicated that if Aspartame is applied in normal consumption levels the chances for detrimental effects are diminished. Given this, and the fact that soon this product will be used in greater quantities in carbonated beverages.

ages in the near future, I feel that the bill I am introducing today is a responsible approach to insure the safest possible regulation of this product.

I urge my colleagues to support this measure.●

# DESPITE THE CRITICISM, THE UNITED STATES NEEDS THE UNITED NATIONS

**HON. THOMAS A. DASCHLE**

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● **Mr. DASCHLE.** Mr. Speaker, criticism of the United Nations—much of it justified—has recently given rise to calls for the United States to tell the United Nations to pack up and move out. With the frustrations and aggravations often accompanying U.N. presence on our shores, it is tempting to endorse this “throw the rascals out” approach.

However, as pointed out several days ago by an editorial in the *Huron* (S. Dak.) *Daily Plainsman*, there is clearly another side to the coin. The editorial, which I recommend to my colleagues, follows:

[From the *Huron* (S. Dak.) *Daily Plainsman*, Sept. 25, 1983]

## DESPITE THE CRITICISM, THE UNITED STATES NEEDS THE UNITED NATIONS.

Calls to move the United Nations to another country is another example of the worsening relationship between the United States and the Soviet Union since the unprovoked attack by a Russian SU 115 interceptor on an unarmed Korean jetliner nearly three weeks ago.

The U.N. issue first surfaced when a Soviet diplomat charged that restrictions on civil aviation invoked after the airliner incident, which Russia cited as the reason for canceling Andrei Gromyko's planned visit to the General Assembly, shows the United States is unfit to be the host country.

Some people were surprised when Charles Lichenstein, the U.S. ambassador to the United Nations, publicly suggested that the world body should consider moving its headquarters if members were dissatisfied with U.S. hospitality.

Lichenstein told U.N. members to “seriously consider” moving the organization. “We will be at dockside bidding you a farewell as you set off into the sunset,” he said.

Those are some pretty harsh words at a time when the U.S.-Soviet Union relations apparently are close to a breaking point.

Even President Reagan has joined in the rhetoric. Reagan was quoted Thursday suggesting that perhaps the U.N. should consider splitting their sessions between the Soviet Union and the United States.

“Maybe all those delegates should have six months in the United Nations meeting in Moscow and then six months in New York, and it would give them an opportunity to see two ways of life,” Reagan said in a press conference at the White House.

In answering questions from the media, Reagan said that Lichenstein spoke for most Americans when he made his statements.

“I think the gentleman who spoke the other day had the hearty approval of most people in America in his suggestion that we weren't asking anyone to leave, but if they'd choose to leave, good-bye,” Reagan said.

One of Reagan's most admirable qualities, in our opinion, is the fact that he isn't afraid to speak his piece—even if it means sparring with the big Russian bear.

Unfortunately, however, the United States needs the United Nations.

Joseph Kraft, of the Los Angeles Times Syndicate, wrote in his column appearing in the Minneapolis Tribune, that there are occasions—more and more occasions, in fact—when world peace is menaced by forces that cannot appropriately be contained by American power. The United Nations exists for those contingencies.

The United Nations was the brainchild of President Roosevelt and Presidents Dwight Eisenhower and John F. Kennedy fought to keep it alive. If it is torn down now, we believe the United States would be the loser. Moving the U.N. headquarters would mean this country no longer would be a world power.

President Reagan is expected to go before the General Assembly this week and reaffirm this country's commitment to the United Nations. Since its inception, the United Nations has served as the debate arena for spokesmen from countries who were close to a military conflict. It hasn't always served one primary objective. It has kept the world powers—those who could set off a nuclear attack—busy at the conference table and away from the panic button.

No one appreciates the continual criticism the United States has been subjected to, particularly in light of the airliner incident which killed 269 people including 61 Americans. But as long as that particular event remains unsettled, that's all the more reason why the United States, and every other country, needs the United Nations.●

## WHAT ELSE CAN CONTINENTAL DO?

**HON. NORMAN D. SHUMWAY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● **Mr. SHUMWAY.** Mr. Speaker, the term industrial policy has been widely discussed and debated of late, but that term remains so broad and unfocused as to be meaningless. I have always maintained that we do have an industrial policy, and always have: Whenever government intervenes in the marketplace to attain economic or noneconomic goals, thus distorting market decisions, industrial policy is in effect. I also believe a case can be made for eliminating government policies which thwart competition and stifle the hope for a dynamic economy. Today's Washington Post carried an article by William F. Buckley, Jr. in which he discusses the plight of Continental Airlines, and the route chosen by that airline to recover. He points out that Continental is still flying; it is still employing 4,200 individuals, and it is trying to face reality. I find the article extremely relevant and pertinent in light of the ongoing debate concern-

ing industrial policy, and I commend “What Else Can Continental Do?” to my colleagues' attention. In particular, I appreciate Mr. Buckley's closing comments: Will the U.S. economy continue to be dynamic, or will it surrender once and for all to the coils of politics and bureaucracy?

[The article follows:]

### WHAT ELSE CAN CONTINENTAL DO?

(By William F. Buckley Jr.)

What is going on right now with Continental Airlines is arguably the most important symbolic economic struggle of the decade. Its implications are correctly conceived both by organized labor and by management as a major junction. Which way is the United States going to go? The alternatives are: competition, economic progress and internationalism. And, at the other end, economic autarky, isolationism and stagnation.

Since deregulation, the airlines have lost approximately \$5 billion. During the first six months of this year, Continental Airlines took in \$586 million in revenues but spent \$84 million more than that figure in maintaining its operations. The average profitable corporation in America, which means the corporation that stays in business, makes 6 percent profit on its gross revenues. In the case of Continental, the loss, added to the hypothetical gain, would suggest that it is running at a loss of about \$240 million per year.

So what does management do? It seeks to trim back and to reduce overhead. But an appeal to the pilots' union and to the union of flight attendants fails.

What then? Well, what would you do? The shareholders are not going to give Continental \$240 million per year for Christmas, so you face, really, two alternatives: either you go bankrupt and get out of the airline business, or you go bankrupt and don't get out of the airline business. This is the alternative offered under the bankruptcy laws, and it goes by the name of Chapter 11. What this does is to relieve the afflicted company of any obligation to pay its creditors, but all revenues are then subject to court inspection. No money, needless to say, can be paid out to shareholders while under Chapter 11.

So Continental took this route, laid off its entire staff, and then started rehiring on the basis of what it reasoned it could afford if it were once again airborne, in both senses of that word. It dismissed 12,000 employees under the old union-compensation rate, then rehired 4,200 at a new, much lower, rate. It reduced the number of cities it served from 78 to 25, in an effort to increase its load factor, and reduced the number of operating aircraft from 109 to 46.

The response of the union has been to call this “union-busting.” It does not much matter what one calls it. Why not call it witch-hunting? Or call it communism. Or Nazism. Because the management of Continental had to do something, and the only alternative was to close down the airline. It is difficult to see how this would have served the interests of the 4,200 people it now employs.

The big labor unions, which are a vested interest, will go now to Congress, then to the courts. To the courts they will charge that Continental has engaged in union-busting, and to that end has abused the bankruptcy laws. If the courts agree with the unions, they will presumably have to come



up with an alternative Continental had that would have permitted it to continue to lose \$240 million per year. To Congress—to which the unions seek to appeal by staging a dramatic one- or two-day strike—the unions will be asking for what? The reversal of deregulation? Try it. To practice, start by reversing Niagara Falls.

What, then? Walter Mondale and Tip O'Neill might come up with an Airline Relief Act to subsidize failing airlines. But you see, they would have a problem here because airline passengers are more numerous than airline pilots and flight attendants, and the former would not easily be persuaded to subsidize the latter to wage scales much higher than their own. Three percent of the American population make over \$50,000 per year. Airline pilots make \$80,000.

Notice that Continental is still flying. There has been less than union solidarity here because common sense is at work, and as the controllers discovered a while back, it is better to take a 25 percent reduction in wages than to take a 100 percent reduction in wages.

And these are the alternatives. They will be faced in the seasons to come by U.S. steel, by car manufacturers, and by other smokestack industries. And the last chapter will tell us whether the U.S. economy will continue to be dynamic, or whether it will surrender once and for all to the coils of politics and bureaucracy. ●

#### INTRODUCTION OF CIVIL SERVICE AUTHORIZATION AND MISCELLANEOUS AMENDMENTS ACT OF 1983

**HON. PATRICIA SCHROEDER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mrs. SCHROEDER. Mr. Speaker, today I am introducing the Civil Service Authorization and Miscellaneous Amendments Act of 1983. This bill makes certain changes in the civil service laws, many of them requested by the agencies concerned. Further, the bill places the central personnel management agencies of Government on 3-year authorizations, eliminating the permanent authorizations which now exist. These fixed term authorizations will force us to examine closely the operations of the Office of Personnel Management and other civil service agencies on a regular basis.

I am inserting in the RECORD a section-by-section summary of the legislation. My Subcommittee on Civil Service will hold hearings soon on this bill. It is my hope to get this bill passed before the end of the year.

#### SECTIONAL SUMMARY OF CIVIL SERVICE AUTHORIZATION AND MISCELLANEOUS AMENDMENTS ACT

Sec. 1. Short title: Civil Service Authorization and Miscellaneous Amendments Act of 1983.

##### TITLE I: OFFICE OF PERSONNEL MANAGEMENT

Sec. 101. Places OPM (salary and expense account) on three year authorization (fiscal years 1985, 1986, and 1987) at level of \$115 million. This figure is automatically in-

creased to reflect increases in pay, standard level user charge, and postal rates after September 30, 1984.

Sec. 102. (Derived from H.R. 2226, introduced by Mr. Barnes.) Provides for reemployment of retired Administrative Law Judges for fixed terms.

##### TITLE II: MERIT SYSTEMS PROTECTION BOARD

Sec. 201. Places MSPB on three year authorization (fiscal years 1985, 1986, and 1987) at level of \$20 million. This figure is automatically increased to reflect increases in pay, standard level user charge and postal rates after September 30, 1984.

Sec. 202. (Agency request.) Permits employees of MSPB, designated by board, and employees of Special Counsel, designated by Special Counsel, to issue subpoenas and order depositions.

Sec. 203. (Agency request.) Places a one year time limit on filing appeals from mixed-case discrimination complaints with MSPB, to avoid stale cases.

Sec. 204. (Derived from agency request.) Requires MSPB to release questionnaires used for special studies after the deadline for their return, raw data after the report of the special study is issued, and comments supplied to the MSPB in preparation for its report on Significant Actions of OPM.

Sec. 205. (Agency request.) Provides that appeals from MSPB decisions in disciplinary action cases brought by the Special Counsel shall go to the Court of Appeals for the Federal Circuit.

Sec. 206. Substitutes broad range of penalties for specific, mandatory penalties which now exist for violations of Hatch Act.

Sec. 207. Provides that a denial of a within grade step increases for failure to meet adequate level of competence is subject to the same standard of review as a removal for inadequate performance.

Sec. 208. Restores old practice of Civil Service Commission of reinstating employees who prevail at initial level of appeal, rather than delaying reinstatement until after the full MSPB hears an agency petition for review.

##### TITLE III: SPECIAL COUNSEL

Sec. 301. Places Office of Special Counsel (OSC) on three year authorization (fiscal years 1985, 1986, and 1987) at level of \$5 million. This figure is automatically increased to reflect increases in pay, standard level user charge and postal rates after September 30, 1984.

Sec. 302. Changes the name of OSC from Special Counsel of Merit Systems Protection Board to Special Counsel.

Sec. 303. (Agency request.) Permits employees of the Special Counsel, designated by the Special Counsel to administer oaths, examine witnesses, and take depositions.

Sec. 304. (Agency request.) Makes OSC independent agency with power to litigate in court and submit own budget.

##### TITLE IV: FEDERAL LABOR RELATIONS AUTHORITY

Sec. 401. Place FLRA on three year authorization (fiscal years 1985, 1986, and 1987) at level of \$20 million. This figure is automatically increased to reflect increases in pay, standard level user charge and postal rates after September 30, 1984.

Sec. 402. (Agency request.) Makes chairman of FLRA chief executive and administrative officer.

Sec. 403. Eliminates obsolete provisions of Civil Service Reform Act concerning initial establishment of FLRA.

Sec. 404 Requires FLRA to decide exceptions from arbitrator's awards within 60

days of receipt and provides that 30 day period to file exception starts on day of service.

##### TITLE V: MISCELLANEOUS, TECHNICAL, AND CONFORMING AMENDMENTS

Sec. 501. Substitutes annual authorization requirement for permanent authorizations of OPM, MSPB, OSC, and FLRA.

Sec. 502. (GAO Request) Extends provisions of Vacancies Act to cover independent establishments.

Sec. 503. (Administration Request) Extends authority of President's Commission on Executive Exchange to collect participation fees.

Sec. 504. Authorizes continuation of Navy's personnel demonstration project at San Diego and China Lake, California, for 5 years beyond current expiration date. ●

#### TORTURE IN CHILE

**HON. SAM GEJDENSON**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. GEJDENSON. Mr. Speaker, for the past 5 months we have been hearing about torture in Chile, which has been systematically inflicted upon political detainees in secret detention centers. Amnesty International has brought to our attention the cases of 19 individuals who were formerly detained by members of the Chilean Armed Forces, 18 of which were subsequently tortured in detention centers. Of the 18 individuals, 13 stated that they were tortured in a CNI (Central Nacional de Informaciones) center in Santiago; the other individuals stated that they had been tortured in provincial CNI centers, or in police stations.

The methods of torture which the individuals reported included, slapping, punching, and extensive beatings. In addition, 14 individuals stated that they were electrically tortured as well. Most of the individuals were also subjected to psychological methods of torture, such as prolonged blindfolding, sleep deprivation, mock executions, and threats to their lives, as well as to those of their families. Even more disturbing is the allegation made by the majority of the detainees that they were medically examined both before and after having been tortured, suggesting the active participation of medical personnel in torture sessions. Among the victims have been academicians, human rights workers, manual laborers, trade unionists, and technicians.

Amnesty International has concluded, after years of documenting allegations of torture, that the use of torture has been consistently practiced by members of the security forces over the past 9 years. Moreover, the methods of arresting, detaining, and interrogating utilized by the CNI and other branches of the Chilean security forces often violate the principles em-

bodied in both the Chilean Constitution and code of penal procedure for safeguarding detainees. It is also apparent that the Chilean courts have not taken effective action to prevent detainees from being tortured. Furthermore, the civil courts are not permitted to continue investigating a complaint of torture if it is established that the security forces or police were responsible. Finally, Amnesty International has concluded that trained medical personnel have worked at CNI centers and have examined a number of detainees before and after being tortured; in certain cases there are grounds for believing that one or more of these people actively participated in inflicting torture.

In the report issued by Amnesty International, "Chile—Evidence of Torture," Amnesty International made the following recommendations: The Government of Chile should set up a full, open, and independent inquiry into allegations of torture filed before the courts; the Government should initiate measures to insure that the courts fulfill their obligations under Chilean law to protect detainees from torture and ill-treatment; and lastly, a full inquiry should be conducted regarding the allegations that medical personnel have been involved in the torturing of detainees in CNI detention centers. I urge the Chilean Government to comply with the recommendations set forth in Amnesty International's report.

#### CASE No. 19

Adriana Vargas Vásquez.

#### PERSONAL DETAILS

She is 31 and worked in a factory until June 1979, when she was dismissed because of her trade union activities. After that she became a social worker with a group of young people. Since her release she has been unemployed but has been an active member of an organization called Relatives of Political Prisoners. She is unmarried, has a nine-year-old child and lives with her parents.

#### STATE OF HEALTH BEFORE ARREST

She was in a car accident in 1975 and was unconscious for a short time. There was a trauma to the spine which left no persisting after-effects.

#### TIME AND PLACE OF ARREST AND DETENTION

She was arrested in the street in Santiago at 9:00 am on 20 March 1980. She was taken to an interrogation centre in Santiago, from which she was released at about 1:00 pm on 24 March 1980.

#### DURATION OF ALLEGED TORTURE

She was tortured on four days while at the interrogation centre in Santiago.

#### INTERROGATION AND TORTURE

Her account of events was as follows:

At 9:00 am on 20 March 1980 she was in a bus. A group of CNI agents entered it and tried to arrest her. When she resisted they tried to remove her by force and her spectacles were knocked off. No arrest-warrant was shown. She was handcuffed, forced into a car and blindfolded. After driving for about 10 minutes they reached the interrogation centre. She was body-searched,

stripped naked and stretched out on a bed to which she was tied by the wrists and ankles. She was then electrically tortured for two hours: one electrode was applied beneath the blindfold to her left temple; the other was attached to the second toe of her right foot. They moved other electrodes around her body, giving her shocks on both breasts and the lower abdomen. At one point she could not breathe and someone punched her hard in the stomach while something tasting of ammonia was put in her mouth.

After two hours of electric torture she was made to sit on a chair and undergo mock execution: her interrogators aimed revolvers at her ears and her chest and said they were going to shoot her. Then she heard a loud noise, which was not in fact made by the revolvers but by the people aiming them. She was slapped on the head. She was allowed to dress and was then taken into another room. There she had to strip again and was then suspended on the *pau de arara* (parrot perch). Her wrists were tied together, she was made to crouch and her arms were forced over her bent legs. A rod was then pushed over her elbows and under her knees. In the course of this her left elbow was injured. She was then suspended for about 15 minutes and again electrically tortured on the same parts of her body as before. The current was so strong that she developed involuntary muscle contractions and lost consciousness for a short time. She was awoken by someone trying to make her take an alcoholic drink. They summoned a doctor, who put a tablet in her mouth. She did not want to swallow it but was forced to. She was allowed to dress again but was left on the floor all night. She was constantly woken up during the night and questioned, but was not actually tortured, although on one occasion a man opened her blouse and ran his hands over her body.

The interrogation continued the next day. She was slapped on the side of the head and simultaneously on both ears (*teléfono*) about six times. Her hair was pulled and the base of her spine and left shin were kicked. One interrogator struck her head with his knuckles.

She then lost all sense of time. She recalled that *eau de cologne* was applied to her skin and that she was taken to a doctor who made her drink a bitter liquid. After she had swallowed it she almost fainted.

During the interrogations she was threatened: told that her son would be arrested and tortured, that her boyfriend and family would be harmed and that she herself would be tortured again.

On her final day at the interrogation centre (24 March) she was taken to see the "friendly" interrogator, who told her that if she cooperated things would improve. She was not tortured that day and was released at about 1:00 pm.

She was kept in isolation throughout her five days at the interrogation centre. She slept for only a few hours each night, was blindfold the whole time and given little to eat or drink.

#### MEDICAL EXAMINATION AND/OR ATTENTION DURING DETENTION

After arriving at the interrogation centre, when she was tied to the bed and before the electric torture started, a man came and felt her all over and said she was healthy. She does not know whether he was a doctor.

#### MEDICAL PERSONNEL INVOLVED IN TORTURE

On her second day at the interrogation centre she was told she was to see a doctor,

and this person told her she was very nervous. He made her swallow a bitter liquid, after which she very nearly fainted. She could not remember what happened next.

#### EARLY SYMPTOMS DESCRIBED

She completely lost all sense of time after one day's torture. She was unconscious for a short while after being suspended on the *pau de arara* and her wrists were very painful afterwards. She was in pain after the electric torture; her breasts in particular hurt.

Her wrists and ankles hurt where they had been tied during the electric torture. Her left shin was painful where she had been kicked and the area was bruised and swollen. The inside of her left elbow hurt where she had been injured when the interrogators pushed the rod between her knees and elbows.

There was a sore on her left elbow and swelling and discoloration of her wrists and ankles. There were many small black scabs where electrodes had been applied. After about 15 days, these dropped off. She was unable to see what colour the skin then was as she did not have her spectacles, but she could tell that it was rather rough.

She had swelling round the eyes, and her conjunctivae were red for about a week.

Her throat was very dry and she felt pain on swallowing.

While she was being electrically tortured she had difficulty with her breathing.

She lost about 6kg while in detention and for about 20 days after her release she suffered from nausea but did not vomit. She had almost no appetite initially after her release.

For the first few days after being set free her urine was very dark, and about two months later she developed a urinary tract infection which was treated by her doctor.

Two months, and again four months, after her release her genitals became inflamed. She was successfully treated for this on both occasions. She complained of abdominal pain and headaches when she menstruated—something she had not suffered from before.

Since her release she has suffered persistent painful headaches in the back of the head and around the temples, the pain being so severe that she has had to go to bed. Her memory is impaired and she has difficulty concentrating. She has also had dizzy spells, particularly when out in the street. Since her release, she has suffered from insomnia and had nightmares.

She has been depressed to the point of feeling suicidal. She has avoided company and been emotionally labile and prone to weeping. She has also had anxiety attacks, triggered especially by loud noises. She said that at one stage she cried for several days. She was then referred to a psychiatrist and is now having psychotherapy and being treated with medication.

#### PRESENT SYMPTOMS DESCRIBED

She has dyspepsia with heartburn. (She had similar problems in 1978.) The present difficulty began about six months prior to the examination. She is receiving medicine, which gives relief.

She still gets cramps and headaches during menstruation, but she loses less blood than before. She has had problems with her left breast: it has been painful and she has had a nipple discharge. She has been treated by her own doctor with an anti-inflammatory drug which has stopped the discharge, although her breast still hurts.



Her memory and powers of concentration are still impaired. She suffers from insomnia and has nightmares; her sister says she talks a great deal in her sleep.

Her psychological state has greatly improved, although she still tends to feel nervous, depressed and moody and to avoid company.

Previously she smoked 10 cigarettes a day; now she smokes 20.

#### HER CHILD'S SYMPTOMS

Her nine-year-old child did not previously have any emotional problems but since her release he has had frequent anxiety attacks, wets his bed at night and is woken up screaming by nightmares. He sees a psychiatrist twice a week, which is proving helpful.

#### MEDICAL DOCUMENTATION

There is a medical certificate from a local doctor who examined the subject on 25 March, the day after she was released. It states, *inter alia*:

"Multiple ecchymoses of traumatic origin in the limbs.

"Erosions of same origin.

"Punctiform erosions grouped in different parts of the body: . . . which correspond to burns by the application of electric current."

There is a medical certificate from the Institute of Forensic Medicine in Santiago, where she was examined on 27 March. It states:

"Examination:

"Excoriations in right ankle and lineal ecchymosis in left ankle.

"Ecchymosis in upper third part of the left leg.

"Excoriations on the left heel, left elbow and left cheek.

"Multiple punctiform excoriations on the right hip, both nipples and left side of the chest.

"Conclusions:

"Slight injuries caused by a heavy object and the action of a physical agent; should heal if treated within 12 to 14 days."

#### PHYSICAL EXAMINATION (25½ MONTHS AFTER THE ALLEGED TORTURE)

No abnormality was detected.

#### CONCLUSION

The medical delegates found consistency between the torture alleged and the early and present symptoms. There is consistency also between the symptoms. There is consistency also between the symptoms described and the clinical findings of a local doctor and the Institute of Forensic Medicine one and three days respectively after her release.●

#### JOHN J. HUNT, AN EDUCATOR PAR EXCELLENCE

#### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. ANDERSON. Mr. Speaker, to break with what seems to be fashionable of late, that is, criticizing the quality of teaching in our public schools, I want to bring to our colleagues' attention an educator of exceptional distinction and renown, John J. Hunt of Torrance, Calif. After 36 years with the Los Angeles Unified School District, and realizing that if he had not

done so this year, he probably never would, Jack, as he is always called, retired.

I want to pay a special tribute to Jack because his presence in the Los Angeles Unified School District has had such far-reaching, beneficial effects. Because Jack relentlessly strove to unleash the intellectual curiosities of his students, most of them came to recognize their potentials for success. They, in turn, also realized that there was something uniquely special about his approach, not merely to learning but to living. It is not farfetched to suggest that a great many wanted to emulate him. I say this knowing that he is well thought of and remembered by an unusually large number of his former students, many of whom have since entered the field of education. Those former students who are now teachers, or who are in some other way affiliated with education, particularly credit the commitment and enthusiasm for excellence that was always exemplified by Jack as their motivating forces.

Jack Hunt served as a teacher or principal at numerous junior high and high schools. A list of those high schools includes Narbonne, Gardena, Washington, and Bell; the junior high schools are Gompers, Burroughs, Foshay, and Emerson. In addition, he was the deputy administrator for Harbor Area schools for nearly a decade.

Jack is a graduate of Compton College and what used to be called Fresno State and is today known as California State University, Fresno. He served in the U.S. Navy during World War II as a communications officer aboard the U.S.S. *Portland*. At age 23, Jack took part in the surrender of Japanese officials on the Truk Islands. When his wartime tour of duty was completed, upon returning to civilian life, Jack considered pursuing a degree of law from Stanford, but instead decided to enter teaching. He earned a teaching credential, and later a master of arts in education, from the University of Southern California.

Civic and educational communities alike have cited Jack for his meritorious services. He has been the recipient of Gardena High School's Booster of the Year Award, as well as being recognized for his many civic contributions by the Boy Scouts of America and the Veterans of Foreign Wars of the United States. He also is affiliated with the Gardena Valley Kiwanis Club, the Centinela Valley YMCA, the Burroughs Junior High School PTA, and the San Pedro Maritime Industries Luncheon Club.

Mr. Speaker, my wife, Lee, joins me in paying special tribute to John J. Hunt and to thank him for all he has done in the field of education. We would like to extend our warmest wishes for continued success and ful-

fillment to him, his wife Shirley, and to their four children: Suellen, John, Bob, and Ron.●

#### CHAIRMAN FOWLER ON THE FCC ACCESS CHARGE DECISION

#### HON. DON RITTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. RITTER. Mr. Speaker, the House of Representatives may soon consider legislation which seeks to alter the FCC's telephone access charge decision. Many in Congress feel that there is a pressing need to maintain the current system whereby long distance users subsidize local telephone rates. Others, particularly the majority of Commissioners at the FCC, believe that the best way to keep all phone rates down over the long term is to phase out this subsidy.

I feel it is essential that we maintain universal telephone service. At this point it is unclear how consumers will be impacted by the AT&T divestiture and deregulation in the industry. In order to better understand the FCC's telephone access charge decision and what the Commission feels will be the outcome of this policy, I urge my colleagues to give careful consideration to an article on the access charge decision written by Mark Fowler, Chairman of the FCC. This article appeared on October 4, 1983, in the Wall Street Journal.

The article follows:

[From the Wall Street Journal, Oct. 4, 1983]

#### DISPELLING HANGUPS OVER NEW PHONE RATES

(By Mark S. Fowler)

The technological revolution in telecommunications has spawned a revolution in regulation by federal and state government. The one constant amid this flurry of activity—maintain universal service among residential telephone users, that is, service for all at reasonable prices. Some believe that other goals, such as spurring technical innovation, lowering long-distance costs or keeping America pre-eminent in the communications/information industries, will undermine universal service. I do not.

The Federal Communications Commission recently addressed these goals when it decided to reprice the way users pay for the telephone wire that runs from each home and business to the telephone company office. I am concerned that recent committee actions indicate that the Senate and House might vote to postpone or repeal most of the FCC's "access-charge" decisions. This would be unfortunate, for the considered benefits of our action may be irretrievably lost. The issue is complex but four important points should be made.

#### A REAL THREAT

First, the decision more fairly allocates telephone costs to those users who cause them. Second, it creates safety mechanisms to ensure that telephone service will remain affordable to all. Third, it fosters more effi-

cient use of America's interstate telecommunications network. Fourth, it will stem the flight of large users from that network, a trend that poses the real threat to universal service and that is already occurring under the existing pricing scheme.

The decision is based on one major principle: The price of telephone service should follow the cost of providing it. In particular, a phone bill should cover the cost of the wire that connects the telephone to the local switching office. The cost of the local loop is the same every day whether a person makes (or receives) one or a thousand calls. These costs do not change if calls are local or toll.

Long-distance users currently pay part of the cost of the local loop each time they make a toll call—about 15 cents a minute, hidden in the overall charge.

This is unfair and inefficient because all telephone customers impose loop costs on the network, no matter how many toll or local calls they make, it is unfair because many long-distance users overpay to subsidize others who make no long-distance calls but are perfectly able to pay the true cost of their local loop. And, overcharging large, long-distance users leads to other distortions that come about when prices do not reflect costs. Recognizing that their bills are artificially high, large customers suppress their use of toll services, obtain bulk discounts or construct their own systems to bypass the network and avoid the extra charges.

Next January, a portion of these fixed costs will be shifted directly to the residential and business users who, in fact, cause them. Residential users will be charged \$2 a month. That figure will rise to \$3 in 1985 and to \$4 in 1986. Further increases will be phased in only if our monitoring efforts assure us universal service is not being jeopardized.

Critics contend these charges threaten universal service. I disagree. Our decision recognizes that the poorest customers may find these charges unaffordable. To that end, state regulators or phone companies can waive them through "lifeline" service. For example, the New York State Public Utilities Commission has authorized such service at \$5 a month. Further, our order creates a universal service fund to offer subsidies, particularly in rural areas where the costs of serving low-density subscribers are high. These provisions should protect rates to rural customers from becoming unreasonable.

The benefits of cost-based pricing will be nothing short of dramatic. As access charges go into effect over the next six years, long-distance rates will come down 35% to 40%, and more people will make more long-distance calls. We have already seen this when subscribers choose alternative networks offering lower rates. All long-distance users—including low-income customers, who often rely on long-distance service instead of travel—will find per-minute costs declining. Small businesses unable to field national sales forces will use the phone more to "telemarket." Whether it is making the once-a-week call home or getting a price quote from a faraway supplier, long-distance calls will become more commonplace.

There are important long-term benefits, too. For example, with cheaper long-distance prices, we can tie together computers throughout the country. Everything from accounts receivable to inventory flow can be improved by better matching of demand and supply. This can lead to quantum jumps

in productivity in our basic industries and our international trade capability.

And, excess computer resources can be accessed over long-distance lines. Today's large computers have unused capacity that can be tapped by distant, smaller companies. By reducing the cost of getting to that large computer, we make available to small business computing power previously unaffordable.

The full effect of lower toll rates on creating new businesses and new jobs will come when the millions of entrepreneurs in our \$3 trillion economy begin to adjust to these price reductions.

Our decision also discourages loss of revenue that supports the present long-distance system. Because large, long-distance users pay their share of access costs many times over, they have an enormous incentive to turn to cheaper communications alternatives. We cannot afford to have these large telephone users jump ship. If they do, the costs still will be there, and residential and other small users will be socked even harder. Our decision makes it less appetizing for big users to leave the network; that means they will continue to pay a large share of its cost.

The alternative of taxing bypass facilities, proposed by some in Congress, is neither feasible nor desirable. Defining and finding bypassers is no easy task. And bypass taxes could kill efficient new technologies.

For example, the words you are reading were communicated to printing plants by satellite. This service could be provided by the telephone network, albeit at higher costs. Is this newspaper's distribution network uneconomic bypass? No one can really tell under the present system. The most prudent solution is to price services at cost, removing the incentive to turn to bypass except where it is the cheapest alternative.

So, we want to encourage innovation in telephony. But we want to discourage duplication generated only because long-distance prices are distorted. This, then, is the heart of our access-charge decision. It reflects the new telecommunications world, where competition leads to better service and innovation.

We know this philosophy works. Because of competition, mandated by the FCC, you can buy your own phone for as little as \$10, instead of leasing one for \$35 a year. And competition has led to features unavailable even five years ago.

#### GREATER UPEHAVAL?

The commission's access-charge decision is part of a wave of regulatory reforms: faster depreciation of telephone plant and equipment, price deregulation of residential and business phones and competition in long-distance services. The result is a fairer, more efficient system. It is a system that rewards innovation, moves prices to reflect costs and allows for subsidies only to those consumers who need them.

Those who would undo the FCC's decision should realize if this happens, our phone system will face greater upheaval down the road. It is unavoidable. And we will have missed the chance to promote the efficiency and innovation promised by the access-charge rule, create new jobs and wealth, and expand our international trade.

Worst of all, we will have forsaken valuable time to provide an orderly transition in phone rates. Perhaps we will lose the incentives in our system that keep rates affordable. In short, we must act now to rescue the system, or we warrant the certain end of universal telephone service in this country. ●

## RESOLUTION HONORING THE CHICAGO WHITE SOX

HON. WILLIAM O. LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. LIPINSKI. Mr. Speaker, it is with great pleasure I introduce today a resolution honoring the Chicago White Sox, the American League Western Division baseball champions. In representing the southwest side of the city of Chicago—which borders Comiskey Park, home of the White Sox—there are numerous constituents of mine who are equally proud of their team's achievements.

The White Sox had a year that certainly deserves recognition. Not only did they achieve the best won-lost record in major league baseball, they also clinched the earliest division championship in baseball for 1983. The White Sox played outstanding baseball and convincingly proved to skeptical baseball followers that they will be a formidable opponent in post-season championship play.

Being a lifelong fan and supporter of the White Sox, it is especially pleasing for me to witness this superb season. Remembering the last baseball championship for the city of Chicago in 1959, I cannot help but believe this White Sox team has all the potential to be world champions. The team slogan may have changed through the years from, "Go-Go Sox" to "Southside Hitmen" to today's "Winning Ugly," but one thing has not changed and that is the tremendously loyal fans who have continuously supported the White Sox.

As the league championships begin, I wish to recognize the other fine teams who are participating in post-season competition, the Baltimore Orioles, Los Angeles Dodgers and Philadelphia Phillies. Naturally, I feel the White Sox will prevail in the American League championship series due to their outstanding roster of players. I urge my colleagues to support this resolution recognizing the fine season of play shown by the Chicago White Sox.

H. RES. 335

HONORING THE CHICAGO WHITE SOX—THE AMERICAN LEAGUE WESTERN DIVISION BASEBALL CHAMPIONS

Whereas the Chicago White Sox brought the first baseball championship to the City of Chicago since 1959;

Whereas the Chicago White Sox clinched the earliest division championship in Major League Baseball on September 17, 1983;

Whereas the Chicago White Sox earned the best won-lost record in Major League Baseball for the 1983 season;

Whereas the Chicago White Sox renewed sportsfans interest throughout the City of Chicago;

Whereas the Chicago White Sox team is made up of names which will not be easily forgotten, with such steller performers as:



Luzinski, Baines, Fisk, Hoyt, Dotson, Hickey, Cruz, and the American League Rookie of the Year, Kittle;

Whereas the Chicago White Sox slogan, "Winning Ugly has become the Miracle on 35th Street", has become the rallying cry for baseball fans throughout the City of Chicago.

Resolved, That the United States House of Representatives joins with the people of Chicago and baseball fans everywhere in honoring the outstanding performance of the Chicago White Sox and wish them luck in post-season play.●

## TWO EXTRAORDINARY WOMEN

### HON. LARRY J. HOPKINS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. HOPKINS. Mr. Speaker, I now share the most incredible story with the U.S. Congress. It is about two women from Kentucky, one a generous, dedicated, loving vocational rehabilitation counselor who, with the help of God and her own perseverance and resourcefulness—guided another, totally deaf woman through the medical school to become the Nation's only first deaf female physician with both a Ph.D. and a doctor of medicine in the United States and, probably, the world.

The extraordinary, factual account of Dr. Judith Pachciarz' 17 year struggle to enter medical school—any medical school—and, then, successfully graduate from the University of Louisville School of Medicine is best told by her vocational rehabilitation counselor, Suzanne Isaacs. Her account captured my heart.

I am so very proud of both of these extraordinary women who, in my opinion, define the word "beautiful" in the most human of terms. They are from my district, although Dr. Judy has since moved to California to serve her residency in pathology at UCLA.

Suzanne Isaacs remains a vocational rehabilitation counselor in Lexington, continuing to perform her work as an extension of her own life.

This single case, highlighting Judy Pachciarz' progress, exemplifies Suzanne's accomplishments as vocational rehabilitation counselor for Kentucky—but, in her instance, it is by no means unique. She has incorporated so many disabled people into her world, taking their exceptional problems as her own mission.

As a result of this case, Suzanne has received deserved recognition by the Southeast Regional Institute of Deafness in its award as case of the year.

It is with profound pleasure that I submit this remarkable, true story of Kentucky's vocational rehabilitation counselor Suzanne Isaacs and her friend and client, Dr. Judith Pachciarz. It is a great honor that I also extend my congratulations, on behalf

of the people of the sixth district, and for myself, with the warmest of personal regards.

#### DEAF CASE OF THE YEAR

This is the saga of a person with a severe disability who spent her life, forty-one years, overcoming obstacles. Born to Polish emigrants, the family lived in a rural area where her father was a coal miner.

This individual struggled for her life at two-and-one-half years of age with encephalomeningitis which caused her to be profoundly deaf. Her education began at age three as her family commuted 70 miles daily for 10 years so that she could attend a public school program for the deaf. During this time, she set for herself the goal to become a doctor because she felt her deafness was the result of the lack of immediate and appropriate medical service.

In high school she was initially not allowed to take chemistry because the teacher feared that she would knock over chemicals. However, she graduated as the only deaf student from a parochial high school ranking seventh in a class of 84.

University admission was automatic until her deafness was discovered. Then she was denied regular admission and required to re-apply to a "handicapped program". Her college goal when she entered a northern university was to become a pathologist. When she entered her senior year in pre-med, she and her first Vocational Rehabilitation Counselor wrote every medical school in the United States and Canada, but every door was locked to her, because of her deafness. Although she graduated from college as a State Scholar, a National Merit Board semifinalist and with membership in several honorary societies, she could not break the attitudinal barrier of the medical school.

Medical school rejections led her to earn a Ph.D. in Microbiology to prove her intentions and abilities. This was as close to medicine as she could get. While studying for her doctorate she took one-and-one-half years of medical school courses along with medical students, who were on a pass/fail system, while she was required to earn B's for graduate credit. For three years she also taught medical microbiology and immunology laboratory to medical and dental students. It was ironic that she was discouraged from taking high school chemistry yet, later taught graduate level science courses.

This determined young lady never gave up; she continued for years to make applications to all the medical schools. She managed to get to the interview stage several times, but no medical school would accept her after they heard her speech and learned about her deafness.

After conducting research work at several universities and being an assistant professor in the Department of Veterinary Science where she taught students in a lab situation, she moved to Kentucky and was a self-referral to Vocational Rehabilitation.

The audiological evaluation revealed that the client has no useful hearing in the speech range. She does not benefit from amplification. She comprehends speech excellently by lip-reading and communicates orally. Her speech is difficult to understand for unfamiliar listeners. She has enrolled in "ongoing aural rehabilitation therapy for several years and recently has learned sign language.

Although the client has not resided with her parents for over twenty years, she has received "a lot of strength" from her family. Her mother, a teacher, always thought her daughter could do whatever she wanted to

accomplish. The client, during her 17 years of fighting to enter medical school, made the remark to one of the local newspapers, "I plan to keep applying to medical school until the day I die".

The client's interests outside the medical realm has included active participation in sports. In 1963 she was the only woman to finish a 50 mile hike and was involved as an AAU marathoner, training up to 60 miles per week. She founded Phantoms, a handicapped parking vigilante group. She has served and participated on several national boards and local groups concerning handicapped persons. She served as a volunteer girl's basketball coach at the School for the Deaf for one year. She attended Gallaudet College one summer to further her skills in sign language. \* \* \* An avid Irish Wolfhound fancier, she spends her leisure time caring for and doting on her dogs.

Although the major physical disability was deafness with concomitant communication problems the vocational handicap was the firm resistance she encountered from medical schools. For 17 years every attempt to "get in" was stifled until her Rehabilitation Counselor helped her to obtain peer support from deaf individuals and deaf organizations throughout the country. When she was finally accepted into a medical school program, there were still doubts in the eyes of some of the professors. One professor told her the first day of school, "you'll never make it".

Once accepted into medical school, the counselor identified new and different problems. "How will the client be able to understand lectures, deal with patients, take oral examinations? How will she monitor heart and lung sounds? Can the client learn the correct pronunciation of difficult medical terminology? Is there special equipment to address her needs? Where can this equipment be found?

The Counselor provided a wide range of vocational services for the client. Each identified problem was addressed in a planned program of services. The first problem of "How will the client receive information in class lectures, labs, rotations, and oral examinations took on the task of the counselor trying to locate qualified interpreters who would be willing to go "through medical school" with the client. Many phone calls and contacts were made to set up a network of interpreters for the various aspects of her curriculum. Some medical students were sought to do "oral interpreting" in particular situations. Her primary interpreter was "on call" when needed for off hour emergencies at the hospital. Arrangements were made with interpreters out-of-state when the client did a ten-week Family Practice rotation in California.

The problem of "How to monitor heart and lung sounds" took quite a bit of research, and trial and error on the part of the counselor and client. The counselor introduced the client to various medical equipment dealers and practicing physicians to determine training equipment needs. Unsuccessful attempts were made to modify existing instruments and equipment. The counselor found that a portable oscilloscope could substitute for a stethoscope, allowing heart beats to be projected on a screen. The counselor's brother, an electronic technician, made the necessary modifications. The oscilloscope manufacturer then gave the client a second, back-up oscilloscope at no charge.

Another problem to overcome was providing a method of having the client paged

when she was "on call" or otherwise needed at the hospital. The counselor contacted various paging businesses to determine what was available. The only non-audible pager was still in experimental status and not available to the general public, but together the counselor and client persuaded the company to let it be used. During the last two years of medical school, Vocational Rehabilitation rented this vibrating pager for the client and an audible pager for the interpreter.

A serious rehabilitation concern was the difficulty the client was experiencing in learning to clearly pronounce complicated and complex medical terminology. The counselor referred her to the university's speech and hearing center for aural rehabilitation therapy. She participated in this therapy throughout her medical school training.

An interesting problem developed when the client was scheduled for her Psychiatry rotation. The hospital administration felt that the use of an interpreter during sessions between the client and patients violated confidentiality regulations. The counselor mediated the situation by arranging contacts between hospital attorneys and representatives of the Registry of Interpreters for the Deaf to clarify the legal position. Finally, the problem was resolved to everyone's satisfaction.

On May 15, 1983 the great day arrived, she was graduated from the University School of Medicine. She tipped her mortar board to that professor who said, "you'll never make it!". Now a resident in Pathology at the VA-Wadsworth Hospital, UCLA School of Medicine in Los Angeles, her vocational dream has become a reality. The client is very happy and grateful and told the Vocational Rehabilitation Counselor, "I couldn't have done it without you and Vocational Rehabilitation". Vocational Rehabilitation's help consisted not only of special medical equipment, note taking paper, interpreter services, TDD and speech therapy, but the most vital support throughout the rehabilitation process was the belief in the client, creative development of non-existing resources, and the constant encouragement through vocational guidance and counseling.

The client has reached her vocational objective as a pathologist. Therefore, it has been agreed that her case will be closed. She lives in a metropolitan area which offers many services and opportunities for deaf people. Her income will substantially increase once she completes residency and enters private practice. It is projected that she will return through taxes in five years more than was spent on this rehabilitation plan. (The client paid her tuition to medical school with income earned and grants.)

This case is being submitted for the Deaf Case of the Year based on the quality and completeness of services provided to enable the client to be the first deaf female physician with both a Ph.D. and M.D. in the United States and probably the world.●

#### NATIONAL SCHOOLBUS SAFETY WEEK

**HON. RICHARD RAY**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. RAY. Mr. Speaker, the House of Representatives passed House Joint

Resolution 137 which designated the week of October 2, 1983, as National Schoolbus Safety Week. I was a co-sponsor of this resolution.

The safety of our children is of primary importance to all of us and I believe that this week is an excellent opportunity to honor those in our Nation who have dedicated their lives to insuring that school buses, which carry 22 million children each day, are the safest mode of transportation possible.

The Third District of Georgia is proud to number among its residents Albert, George, and Joe Luce, the owners of Blue Bird Body Co. in Fort Valley.

The Luce family has owned and operated this business for over 40 years and during this time, Blue Bird has grown to be an international standard for safety and reliability. The Luces have devoted their lives to increasing the safety of schoolbuses and have implemented new technologies and designs which have significantly increased the safety factor of schoolbuses.

The Luce family is well known throughout Georgia and America for their concern for children. This business has attained such a high level of success because the Luces are not in the bus industry simply to make money.

Their love for children extends to their employees and to their well-being. Blue Bird is widely known as a fair and comfortable place to work and many employees begin at Blue Bird just out of school and remain there until they retire. Employees are provided an opportunity to attend a devotional service each week, since the Luces believe that a person's true well-being encompasses the spiritual as well as the physical.

During this week, when we turn our thoughts to the safety of our children as they are transported to school, I believe it is fitting to take a moment and pay tribute to those who take painstaking care to make sure each schoolbus meets today's strict standards and who give priority to research engineering which will increase safety further in the future.

It is this group of people, people like the Luce family of Fort Valley, Ga., who deserve our thanks and our praise for their untiring efforts on our children's behalf.●

#### THE UKRAINIAN HOLOCAUST: "WE HAVE A STORY TO TELL"

**HON. DON RITTER**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. RITTER. Mr. Speaker, on Sunday, October 2, 1983, I had the honor of being the keynote speaker at

the 50th Observance of the Ukrainian Famine Holocaust at the Washington Monument. This event and subsequent march to the gates of the Soviet Embassy involved the participation of approximately 15,000 people from all over the United States. It was a fitting finale to a week of events that commemorated the 7 million people who died as a result of this artificial famine imposed by Josef Stalin.

Many Members of Congress participated in the events that occurred during the week of September 25-October 2 and because of this widespread interest, I would like to share with my colleagues my remarks from Sunday's demonstration.

Today, my dear friends, I honor the 7 million who died in the famine/holocaust and the millions who lived through those terrible years. But that is not enough. Today, I devote myself with all my heart and soul to the cause of freedom for our oppressed brothers and sisters living in Ukraine.

We are here today to honor 7 million who perished and those who survived. We are here today to commemorate those tragic times. But we are here not only to honor, not only to commemorate. We are here today because we believe in freedom. . . . We believe in a free Ukraine. In free lands, there are no holocausts. We are here today to tell Stalin's heirs that we believe in freedom. We believe in a free Ukraine.

We are here to tell the story to the world of the people who suffered, the victims, the survivors. Yes, we want the world to know about this crime against humanity, not that they may feel sympathy towards the victims. That is given. But, even more important is that the world better understand that the disease of totalitarian control over people longing to be free is what creates holocausts. And that such totalitarian control is today exerted by Stalin's heirs over the Ukrainian people and many others. . . . Yes, we have a story to tell.

Ivan Klymko lived on the Lukashiv Grange and survived the famine. Ivan was close friends with Vasyl Luchko whose wife and three children lived near him. Many times his wife Sanka made trips to Poltava for food but soon this source ran out. Food became very scarce.

One day in March, Ivan went to Vasyl's house. Upon entering the dark house he brushed against something that felt warm and soft. Searching for a light, he saw in front of him Vasyl's six-year-old son hanging by the neck. The rope was tight around his neck and saliva was still dripping from his mouth. In the adjoining storage room, soon discovered, was the body of the other son, also hung by the neck. Soon Vasyl appeared and Ivan asked him why he had murdered his children. His reply was that he had nothing to give them to eat and didn't want them to starve to death. Starvation breeds insanity. Forced starvation is murder.

Together with his brother, Vasyl dug a grave for the two boys. There were no coffins so the boys were lowered into an earthen grave. When the mother returned from a food foraging trip with her daughter she learned of the death of her sons, however, when she found out they had been buried she scolded Ivan and his brother for burying them. Ivan had to tell her that her husband was in such a state they were afraid he



might eat them. Starvation breeds desperation. Forced starvation is murder.

Within two weeks both Vasyl and his daughter died of starvation and a few months later, the mother also died. In a last attempt to gain food she ripped part of her roof off to sell the metal for bread. She died with the bread in her hand. Her death resulted in the entire Luchko family being wiped out. The Luchko family was murdered.

George Kulchycky, writing for a Cleveland paper in June of 1933, wrote a report on the famine based on interviews with eyewitnesses. He stated in the village of Kharkivitsy the famine had a devastating effect. He writes: "Reporters who knew of the catastrophe were so enamored with communism and its future that they were persuaded not to report the fiasco." But today, we reporters, all of us, file our stories.

One eyewitness account was that of Vera Kochno.

In April of 1932 I personally went to Moscow for food. I risked my life, I was hidden in the locomotive. Ukraine was under an iron blockade, no one without party passports was permitted to leave the country. I was stunned when I witnessed that Moscow's stores and food markets were overloaded with food, and white rolls could be found on the streets. At the same time the well-known "Red Brigade" of 25,000 communist thugs and secret police wiped out completely food from Ukraine, confiscating in the villages everything from house to house, and killing even dogs and cats, that we would not hunt them for food. The high, enormous mountains of dead bodies of children, women, youngsters, were lying everywhere, especially in from of all the doors of our churches in Kharkov, where my husband was a head of the Metropolitan Cathedral. One couldn't open the doors.

According to the testimony of the economist, Dr. Mark Mensheha, published in 1958, the Kremlin imposed quotas of grain to be shipped from the Ukraine to government storages in Russia. These quotas exceeded the entire crop of the harvest of the preceding year of 1932. Statistics revealed that the harvest produced 140 million pounds of grain, which fed the Ukrainian people along with some exports. The quotas for out-shipment were tens of millions of pounds higher than total production. Nothing was left for the people to eat.

Moreover, Stalin sent Mikoyan, Secretary of the Ministry of the Food Industry to Ukraine, and also Molotov, Kaganovich, and Khrushchev. Mikoyan observed thousands of peasants' corpses, and thousands of swollen faces and bodies in the Uman district of the Ukraine in the early summer of 1933. The local authorities begged Mikoyan to permit them to use part of the collected grain for the starving people to save them from death. Mikoyan rejected their petitions. In an answer to the petitions of dying and crying children and their families, came revenge; the destruction and harvest of death of many villages and Kozacs towns around Uman city. They disappeared and the region became like a desert because all the people died. . . . Yes, we have a story to tell.

During this short period over 7 million Ukrainians died. It took the Nazis five years to destroy 6 million people in their death camps. The Soviets outdid their "moral twin," the Nazis, by converting Ukraine into an enormous, sealed-off death camp. Starvation was the substitute for gas. Unfortunately, this holocaust has not received the

attention that it should and while the Nazis were defeated, the Soviets are still powerful. It is important for the world to know about this world-shaking historical event. Just as the world knows about the Nazi death camps. It is important to know that Stalin, and the communists made a death camp out of the Ukrainian nation in 1932-33.

The memories of the Ukrainian famine should haunt every civilized man, woman and child as does the holocaust of the Jews. These stories should not be left to scholars alone. They should be told in schools, they should be written in text books and remembered in places of worship so that the memory may in some way prevent this from happening again and, yes, teach us about the perpetrators. You, as citizens, have the power to go to your school boards, your history and social studies teachers to teach our young people about this heinous crime against humanity—just as Nazi crimes are taught. I lend my support and that of the Ad Hoc Committee on the Baltic States and Ukraine, which I co-chair, to seek through legislation to enhance this education process, to spread the word. I also pledge continued action on the part of the Congressional Helsinki Commission, on which I serve.

Recently, there was Cambodia, another dark fruit from the tree of totalitarian communism. Today, as we speak, Soviet armored helicopter gunships are being used in the destruction of the people of Afghanistan. Using chemical and biological weapons which wreak agonizing death on their victims and mines that appear as toys but which are capable of blowing off a limb of some curious child, so as to incapacitate their parents, the Soviets are committing another genocide, another holocaust. One million dead in just a few years, 4 million forced to leave out of only 15 million people in Afghanistan.

Will free people one day stand and commemorate the 50th Anniversary of the Afghan holocaust, or will we have the courage to stand up today and demand that it be stopped? Will we ignore them as we did the Ukrainians in 1932-33 or will we give freedom fighters the wherewithal to defend themselves from the same perpetrators of the Ukrainian holocaust. In the words of Alexander Solzhenitsyn, will we give them bread or stones?

In our hemisphere, another crime of communist totalitarianism is being committed. In Nicaragua, the Miskito and other ethnic Indians are facing genocide at the hands of the Marxist-Leninist Sandinistas. The Sandinistas, backed militarily and financially by the Soviet Union and their Cuban proxies, are trying to destroy the spirit of the ethnic Indians and bring them into submission. Tomas Borge, Sandinista Interior Minister, told Miskito Indian leader Stedman Fagoth that "if necessary, to impose Sandinista ideology, we will kill the last Miskito Indian." Again, I ask: Will we stand up and help or watch it all happen?

The Ukrainian people today are more than 50 million strong. Ukrainian people will not give in to the destruction of their national identity. Attempts at Sovietization have all but failed because of the strength of Ukrainian culture and the desire to pass on rich history, language and tradition to the children. It is essential that this passing on of the culture be continued. The culture passed down through the generations is keeping the flame of freedom alive. This year has been set aside as an entire year of commemoration and it is fitting and proper that America recognizes this event, learns

from it and uses its wisdom to do what it can to prevent such tragedies. Standing behind those who resist totalitarian slavery is one way we can prevent future holocausts. Resisting Soviet expansion in Afghanistan, Southeast Asia, Africa and Latin America will prevent future holocausts and kindle flames of freedom which can one day kindle the flame in Ukraine.

As long as a free Ukraine exists in people's hearts, then a free Ukraine nation "is" a reality. This is a struggle I for one accept, and welcome your participation and leadership.

As a brief aside, I'd like to welcome some 100 of my own Lehigh Valley constituents who came to Washington to be a part of this important demonstration.

May the memory of those who died live on in our hearts and in the hearts of all Americans so that the flame of freedom for the Ukraine will never die. . . . Long live the flame of freedom. Glory to Ukraine. Thank you, and I hope to see you again.●

## GENERAL PULASKI MEMORIAL DAY

### HON. FRANK ANNUNZIO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1983

● Mr. ANNUNZIO. Mr. Speaker, on October 11, 1779, the great American patriot and brilliant military leader, Gen. Casimir Pulaski, sacrificed his life for the cause of freedom during the Battle of Savannah.

President Reagan has issued a proclamation commemorating the courageous actions of this U.S. Continental Army officer, which designates October 11 as General Pulaski Memorial Day, and a copy of that proclamation follows:

#### GENERAL PULASKI MEMORIAL DAY, 1983

(A proclamation by the President of the United States of America)

On October 11, 1779, the Polish and American patriot Casimir Pulaski was mortally wounded while leading his troops in battle at Savannah, Georgia. Pulaski died fighting in our American Revolution so that we could live as a free and independent Nation.

It is fitting that we should pay tribute to this martyr for freedom and that free men and women everywhere should take this occasion to rededicate themselves to the principles for which Pulaski gave his life. The power of the ideal of freedom remains vital, both in Pulaski's homeland and in his adopted country. In paying tribute to Casimir Pulaski, we pay tribute as well to all those Poles who have sacrificed themselves over the years for their common goal: the freedom of that heroic nation.

Now, therefore, I, Ronald Reagan, President of the United States of America, in recognition of the supreme sacrifice General Pulaski made for his adopted country, do hereby designate October 11, 1983, as General Pulaski Memorial Day, and I direct the appropriate Government officials to display the flag of the United States on all Government buildings on that day.

In witness whereof, I have hereunto set my hand this 6th day of Sept., in the year of our Lord nineteen hundred and eighty-three, and of the Independence of the

United States of America the two hundred and eighth.

RONALD REAGAN.

Casimir Pulaski was born in 1748 at Winiary, in the Province of Podolia, and from his earliest childhood demonstrated the qualities of organization and leadership which he was to display throughout his life. Before he reached the age of 20, he had organized a small group that fought bravely to prevent the partitioning of Poland. Unfortunately, although his efforts were not successful, his deep commitment to the ideals of freedom never wavered.

In 1777, Pulaski met Benjamin Franklin in Paris, where Franklin was so favorably impressed that he gave him a letter of introduction to Gen. George Washington. Washington soon entrusted Pulaski with the grave responsibility of reorganizing the American cavalry forces, and Pulaski accomplished this with such skill that he was placed in command of these units, proceeding to distinguish himself in every subsequent encounter with the enemy. Sadly, in 1779, at age 31, General Pulaski gave up his life on the battlefield while leading his famous cavalry legion in driving the British out of Savannah, Ga.

Pulaski neither lived to see victory achieved on the battlefield, nor did he live to see America win her fight for independence, yet his valiant efforts were instrumental in establishing this wonderful country of ours, and his actions are representative of the many fine contributions that Polish Americans have made to our great Nation.

Mr. Speaker, I am proud to join with Americans of Polish descent in the 11th Congressional District of Illinois, which I am honored to represent, and Polish Americans all over this Nation in commemorating the 204th anniversary of General Pulaski's supreme and inspiring sacrifice during our American War of Independence. ●

#### TRIBUTE TO CHAD KNUTSON

#### HON. CHARLES W. STENHOLM

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. STENHOLM. Mr. Speaker, recently there have been numerous reports of individuals who would like to profit—by arranging the sales of viable organs for transplant or offering to sell their own organs—from the misfortune of the many in this country who are awaiting a chance of life—an organ transplant.

I would like to call your attention today to a young boy, Chad Knutson of Holyoke, Minn., who did not live long enough to even learn that such greed could exist.

He never learned the meaning of the word "selfish," and as adults, I think we could learn a lot by his example.

You see, Chad, along with his younger brother, Trent, was killed in a tragic train-car accident just a few weeks ago on September 18. Chad would have celebrated his eighth birthday this Sunday and I could not let this occasion go by without calling your attention to this young boy's brief—but purposeful—life and how his unselfishness affected the very lives of a few and certainly the hearts of all of us who have now heard of his actions.

The following news article, published on September 22, tells Chad's story best:

MINNEAPOLIS.—Last November, Chad Knutson asked his mother to explain about Jamie Fiske, the Massachusetts girl who received a liver transplant after her father's plea to doctors to help him find a donor was televised nationwide.

As they were talking about the Utah boy whose liver went to Jamie, his mother recalled yesterday, Chad said, "When I die I'd like to be able to do that."

Chad, 7; his brother, Trent, 4, and a neighbor, Carol Jo Zack, 16, died Sunday night when a train struck the vehicle in which they were riding at a crossing south of Duluth.

On Tuesday, Chad's heart, kidneys and corneas were removed for use in five transplants, the Minneapolis Star and Tribune reported in a copyright story in today's editions.

One kidney was placed in a 33-year-old man at University of Minnesota Hospitals and the other was flown to New York State for use in a transplant there.

Chad's heart was transplanted Tuesday into 11-year-old Krista Larose of Bethel, but she died later that night, a University Hospital spokesman said.

The corneas, which can be preserved for a long time, are expected to be used for later transplants.

Chad was the son of Mickie and Roy Knutson of Holyoke.

He, his brother and the neighbor girl were killed instantly when the all-terrain vehicle on which they were riding collided with an Amtrak passenger train a quarter-mile from their homes.

Chad was rushed by ambulance 20 miles to St. Luke's Hospital in Duluth and placed on a life-support system for nearly two hours before he was pronounced "brain-dead," his father said.

Her conversation with her son about Jamie Kiske "came to me when we were in the hospital," Mrs. Knutson said in a telephone interview.

"His only real injury was to his head," she said. "His condition was perfect for it (donating his organs). We remembered what Chad had said."

In another interview, Mrs. Knutson said, "We, as Christians, feel God has a plan for everyone . . . We're thankful for the beautiful years he gave us with our boys and that Chad was allowed to help others."

"For us, that has been a joy."

Jamie Fiske, nearly 2 years now, was the recipient of another family's unselfish decision to give the gift of life. Her mother, Marilyn said, in the same interview;

We can truly learn from little kids. This boy learned something at age 6 that took me much longer to learn. He is a very special boy. We can learn from him like we have learned from Jamie. And his parents are very special people.

We owe tribute for all of the unsung heroes throughout this country who have faced similar decisions during a moment of deepest tragedy. I cannot recognize them all individually today, but I can pay tribute to Chad and his family. Perhaps the best way is by encouraging every Member of this body to have the courage to discuss organ transplants with each member of their families and urge every citizen in this country to do the same and to do it today.

I would also like to commend my colleagues Congressmen ALBERT GORE and HENRY WAXMAN for their continuing work on this issue through their thorough and careful work on the Science and Technology Committee and the Energy and Commerce Committee.

I would encourage my colleagues to give their recommendations regarding organ transplant systems careful and favorable consideration. I will also be seeking cosponsors for a House joint resolution honoring Chad Knutson and his remarkable unselfishness and will circulate a Dear Colleague to all Members on this following the upcoming recess. ●

#### MISSING CHILDREN—THE LANDMARK CASE OF ADAM WALSH

#### HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. SMITH of Florida. Mr. Speaker, I rise today to bring to the attention of my colleagues the premiere of the made-for-TV movie "Adam" to be aired on Monday night, October 10, on NBC. "Adam" is the story of a very serious and heinous crime perpetrated against an innocent 6-year-old boy. Adam Walsh of Hollywood, Fla., was abducted from the Hollywood shopping mall on July 27, 1981. After 2 weeks of the largest manhunt in Florida's history, Adam's remains were found 150 miles north of his home. His killer has never been apprehended.

Each year thousands of children are missing, disappearing from their homes, vanishing without a trace by abduction, assault and child molestation, and murder. Adam's parents, John and Revere Walsh, have not let Adam's death become another statistic and have launched a national campaign which resulted in the passage in 1982 of the Missing Children's Act, and the establishment of a national computerized file for missing children and unidentified bodies.



I want to draw the attention of my colleagues to this national problem. It is time to change a law enforcement system that is unresponsive to children. We need to stress in our communities that parents need to educate their children to protect them from injury or death at the hand of an abductor. Children are vulnerable. Too many children would talk to a stranger for the offer of an ice cream cone.

It is a known fact that approximately 2 million children will disappear this year. Over 1 million children are being abused annually in the United States, with 2,000 of these children being killed. An estimated 60 percent of missing children are sexually abused, physically exploited, and psychologically damaged through abduction and kidnapping. In 1982, I was successful in obtaining a \$75,000 appropriation from the Florida State Legislature to establish a statewide computer system for missing children through the Florida Department of Law Enforcement. Florida has taken a leadership role by instituting a clearinghouse computer system that collects and exchanges information on missing children. I urge my colleagues to have their States emulate what happened in Florida. Each community should have a computer system and a toll-free number to disseminate information. The Florida clearinghouse toll-free number is 1-800-342-0821. The toll-free number for Child Find, Inc., a national clearinghouse located in New York City, is 1-800-431-5005.

The Walshes were instrumental in establishing the Adam Walsh Outreach Center for Missing Children in Hollywood, Fla., in 1981. When the operation became too large to handle by a volunteer staff, the Adam Walsh Outreach Center for Missing Children merged with Child Advocacy, Inc., in Fort Lauderdale, Fla., to form the Adam Walsh Child Resource Center in Fort Lauderdale. Under the directorship of Denny Abbott, the center has sponsored voluntary fingerprinting of children and child abuse speakers programs, and it has established a computerized system for missing children in Broward County, Fla., upon which the State of Florida modeled its statewide system. The FBI is now modeling their computer after Florida's computer system, to trace missing children by physical characteristics.

Through the efforts of the Adam Walsh Child Resource Center, the Florida clearinghouse now publishes a missing children's monthly bulletin that is distributed to all State law enforcement agencies. Also, the center was instrumental in the passage of a new State law requiring a list of all missing children to be distributed to all Florida school districts. In the cases of parental abduction, the likelihood of a child's being enrolled in another school is very high.

Our children are our future. We need to protect our children—by voluntary fingerprinting, "Safety with Strangers" programs, and monitoring court proceedings of child molester cases. It is my hope that my colleagues will join me in tuning in "Adam" on Monday night.●

#### CASIMIR PULASKI: POLISH AND AMERICAN PATRIOT

#### HON. BARBARA B. KENNELLY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 4, 1983

● Mrs. KENNELLY. Mr. Speaker, I am proud to have this opportunity to honor the great Polish patriot and American Revolutionary war hero Count Casimir Pulaski, who sacrificed his life fighting for the ideals of freedom.

Pulaski was born in the Providence of Podolia in 1748. Throughout the early part of his life Pulaski developed a deep commitment to the ideals of freedom. From 1768 to 1772 he was an activist in the resistance movement to Russian encroachments on Polish independence, and although many of his heroic military exploits were successful, Count Pulaski alone was unable to avert the eventual partition of Poland. Forced into exile, Pulaski dedicated his life to the cause of freedom. Soon Poland's loss would be America's gain.

While in France, having lost the ability to fight for liberty in his beloved country of Poland, Pulaski offered his services to the United States. He was recruited by American commissioners Benjamin Franklin and Silas Dean to join the American colonies in their fight for independence from England. Pulaski wanted to live the rest of his life in freedom; he could not bring himself to bow before the sovereigns of Europe.

In June 1777 Pulaski arrived in Boston, and soon displayed his great military skill by fighting with distinction at the Battle of Brandywine in September of that year. In response to his meritorious service, Gen. George Washington recommended to the Continental Congress that it appoint Pulaski to the post of Brigadier General of Cavalry.

General Pulaski organized an independent corps of cavalry and infantry known as the Pulaski Legion, where again he demonstrated his expertise as a military leader. The Pulaski Legion distinguished itself on many occasions, and contributed to a series of American military successes through 1778. In the following year Pulaski added to his reputation as a superior military leader in several major engagements with the British in South Carolina. Then on October 9, 1779, in a final act of bravery, General Pulaski was mor-

tally wounded while leading a charge against the British during the Battle of Savannah, Ga. America had lost a true patriot.

Gen. Casimir Pulaski's example of dedication to democratic ideas has provided continuing inspiration to all of us. He was a man of extraordinary capabilities, and exemplifies the many outstanding contributions that Americans of Polish descent have made to our country. His sacrifice to our Nation in its struggle for independence will always be remembered by people who cherish the precious blessings of liberty.●

#### REINTRODUCTION OF DEFICIT COMMISSION RESOLUTION

#### HON. LES AU COIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. AU COIN. Mr. Speaker, I am pleased to join with my colleague from Ohio today in introducing our joint resolution to bust the legislative gridlock which has prevented the Congress from addressing the single most important economic problem facing our Nation today: Deficits. Structural deficits, deficits which are estimated, conservatively, at \$200 billion. Not only this year, but next year, the year after that, and, in David Stockman's words, as far forward into the future as the eye can see.

My colleague and I have differed on issues in the past. But we unite today on this most overriding issue; putting in place a mechanism which will bring about decisive reductions in our staggering budget deficits. Our resolution establishes a bipartisan national commission on Federal budget deficit reductions modeled after the national commission on social security reform. The commission would be directed to review all elements of fiscal and monetary policy, analyze all options which would result in deficit reductions, and provide recommendations within 90 days on deficit reduction alternatives.

As I travel through the First Congressional District in Oregon, the question most often asked by mill workers in Toledo, by fishermen in Astoria, and by small businessmen in Beaverton is this: Is the recovery going to be a strong one, is it going to be sustainable, and is it one that can bring us out of one of the deepest economic holes we have been in for decades?

I think we have paid a very dear price to reach this point at which we might just be able to see economic recovery, and those who have survived the recession have every right to expect a recovery that rewards them for one of the sharpest sacrifices the economy has been put through in dec-

ades. And I believe the recovery can be sustained. I believe the policymakers in Congress and in the executive branch owe those who have survived by being as skillful as they have during this recession a recovery which rewards their enterprise and nurtures those who are picking up the pieces now and are trying to put it all back together again.

But to be quite frank, Mr. Speaker, the Federal budget deficit is the one thing standing in the way of a prolonged and sustained economic recovery. Deficit spending has driven up interest rates, which have in turn devastated the automobile industry, the housing industry, the wood products industry, and other credit-sensitive businesses.

This is a problem which knows no political bounds. It does not matter whether you are a Republican or a Democrat. It does not matter whether your world revolves around capital formation or whether it revolves around providing social services to help the needy. Neither of those things will happen if budget deficits of \$200 billion are allowed to occur. If, in 5 years time, we amass an additional \$1 trillion to the national debt, on top of the current accumulated \$1 trillion debt, neither of those things will occur. Neither of those things will occur if Government borrowing absorbs 78 percent of the total savings pool of this country, which is where we will be if our deficits grow unabated.

You cannot help your fellow man and you cannot form capital to get the business machinery of this country going if debt service alone becomes one of the major items in the Federal budget. And neither of those things will happen if interest rates destroy the principal source of wealth needed to make this country the kind of society I think we all want it to be.

This is why it is so important for responsible Members of both parties to join in an effort to bring our fiscal policy under control. If we fail in this effort, or even worse, if we continue on our present course as if there were no problem, we will be courting a financial and economic crisis.

And what stands in the way of decisive action which can reduce the size of the deficits which loom on the horizon? There has certainly been no lack of ideas as to how the deficit can best be reduced.

Members on both sides of the aisle have individual checklists on what ought to be spent and what ought not to be spent. The problem is that there is no legislative majority behind any one of those lists. The challenge we face is to build a consensus that can produce a legislative result—that could encourage Congress and the President to give ground on all of the sacred cows—entitlements, tax breaks, and weapons systems.

Failure to act would be catastrophic. The Congressional Budget Office estimates that a staggering \$1.3 trillion will be added to the deficit over the next 5 years if we do nothing. That amounts to a national debt of over \$3 trillion and interest payments of almost \$150 billion.

If we were only to cut nondefense discretionary spending, the magnitude of these deficits would require shutting down every function of the Federal Government with the exception of the Department of Defense and the Social Security Administration. And we would still face a deficit of \$20 to \$30 billion.

But if we can form a Presidential commission to deal with the impossible task of social security, and we did, and if we can form a Presidential commission to deal with the intractable and vexing problems of Central America, and we have, and if we can form a Presidential commission to deal with strategic forces—the Scowcroft Commission—which we have done, then it seems to me there is an argument for using this secret weapon on the most critical problem facing not only the domestic structure of this Nation's economy and strength, but also, ultimately, its foreign strength as well.

We should be able to bring the leadership together from both parties, in the executive branch and on Capitol Hill, and have a national commission composed in a way that represents balance to come forward with a deficit reduction package which will be balanced and, most importantly, will command the support necessary to pass both the House and the Senate.

Some would say that this approach circumvents the committee system and the budget process established to deal with this matter.

I would answer first of all that this simply would not be the case. Any set of legislative recommendations proposed by such a commission would come before the Congress and be referred to the appropriate committees. While significant alterations could upset the balance struck by such a commission, the Congress would still have the opportunity to work its will.

Second, I would say that the problem we face is extraordinary in nature. Its solution requires extraordinary steps be taken.

I feel a solution to this is critical and I am alarmed by the prospect that the inertia which has set in will continue. This is the most difficult task facing Congress, and the most important. I urge my colleagues who may be interested in breaking this gridlock and setting up such a commission to contact me and cosponsor this resolution. It is crucial that we act now. ●

## THE CABLE TELECOMMUNICATIONS ACT OF 1983

HON. TIMOTHY E. WIRTH

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. WIRTH. Mr. Speaker, I would like to offer a brief explanation of H.R. 4103, the Cable Telecommunications Act of 1983, which 22 Members and I introduced today.

Explanation follows:

H.R. 4103—CABLE TELECOMMUNICATIONS ACT OF 1983, HIGHLIGHTS

(1) Establishes a national policy for the widest possible diversity of information sources and services to guarantee that Americans have access to a variety of perspectives and viewpoints through cable communications.

Assures that cities can require cable systems to provide channels for public, educational, or governmental use.

Requires that operators of systems of 36 and greater activated channels set aside channels for use by commercial programmers not affiliated with the operator. The operator would have no editorial control over these channels. This will prevent any local "bottleneck" from developing in which an operator could control the content of all the sources of information on a system. Systems of 36-54 activated channels must reserve 10 percent of usable channels; 55-100 activated channel systems must set aside 15 percent of usable channels; and any system of more than 100 activated channels must designate 15 percent of all channels for this third party access. Operators continue to set the price and terms for use of channels to protect their economic viability, but the FCC or a Federal district court can order access and terms if the operator's terms are unreasonable.

Increases diversity of ownership by prohibiting future ownership of a cable system by the owner of a local television station, daily newspaper or telephone company (except in rural areas).

Guarantees that landlords cannot block tenants from receiving cable service to widen citizen access to cable.

Prohibits common carrier or utility regulation of cable systems offering data transmission services.

(2) Sets a regulatory framework to clarify local, state, and national authority and to encourage a competitive environment in which cable can grow and develop.

Deregulates rates for basic service in areas in which four full power television signals (with at least one of each of the three networks) are received within the grade B contour. Existing rate regulation continues for one-half of the remaining terms of the franchise, or five years after enactment, whichever is greater. Allows operators to increase regulated rates annually by the increase in the regional consumer price index in the past year.

Caps franchise fees at five percent of gross revenue of the operators. Cities continue to set fees to defray the costs of public, educational, or governmental uses with no limit.

Provides a presumption in favor of the existing operator being granted renewal unless the local authority finds: a material breach of the franchise by the operator; a change in the operator's qualifications, unreason-



able provision of facilities, the signal is not up to FCC technical standards, or the proposals in the renewal application are unreasonable.

Continues local authority to issue one or more cable franchises. If the operator shows a significant change in circumstances regarding facilities or equipment after franchising, negotiations must ensue with binding arbitration after 45 days. Operators may also remove a particular programming service specified in the franchise if there are significantly changed circumstances, such as a huge increase in the rates for the service. These provisions do not apply to public, educational, or governmental access channels.

Lets local authorities buy or require a sale of a system at fair market value, with binding arbitration if such value cannot be agreed to.

Toughens the pole attachment section in the Communications Act to ensure that cable systems are only charged fair rates for attaching their cables to utility poles.

Establishes both civil and criminal penalties for unauthorized interception—piracy—of cable service.●

#### CIVIL LIBERTIES ACT OF 1983

**HON. NORMAN Y. MINETA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. MINETA. Mr. Speaker, I am proud to join our distinguished majority leader JIM WRIGHT and many others of our colleagues to introduce the Civil Liberties Act of 1983. Now, more than 40 years later, Congress has the opportunity to close the books on one of the most shameful events in our history: The internment of 120,000 loyal Americans without trial or jury, simply on the basis of their ethnic ancestry.

Those interned were not foreign spies carrying briefcases bulging with secrets. These were old men and women who worked in the fields of California, and would have been U.S. citizens except for the fact that our racially discriminatory laws denied them that honor. These were not unscrupulous agents of a foreign power, these were business people who had worked to build up small businesses and to be full members of their communities. These were not recent immigrants of uncertain loyalty. Most of those interned were born in this country and were proud citizens from birth.

It is impossible to debate appropriate remedies for something as indefensible as the internment without first understanding the total tragedy of our Government's policies, the complete horror, shame, and injustice that the internment caused.

I was one of those interned. I was 10 years old. If someone, anyone, could show me how, by any stretch of the imagination, any reasonable person could perceive me to have been a security threat, I would abandon this effort instantly.

The internment was not merely inconvenient. Evacuated from homes with little notice, thousands of Americans lost their homes, their businesses, their farms. And we lost nearly 3 years of our lives. The financial losses were enormous. But the losses of friends, education, opportunity, and standing in our communities were incalculable.

My own family was sent first to Santa Anita Racetrack. We showered in the horse paddocks. Some families lived in converted stables, others in hastily thrown together barracks. We were then moved to Heart Mountain, Wyo., where our entire family lived in one small room of a crude tarpaper barrack.

Some say the internment was for our own protection. But even as a boy of 10 I could see that the machineguns and the barbed wire faced inward.

The internment was not, as some apologists say, "regrettable but understandable." It was unjustified in light of what we know now and unjustified in light of what anyone who wanted to see the situation clearly could see at the time. The internment was a cowardly act of prejudice and fear. This whole Nation was and still is shamed by it.

Yes; it was a time of great national stress. But moral principles and rules of law are easy to uphold in placid times. But do these principles stand up in times of great difficulty and stress? That is the test of a great nation: Can it stand by its laws and codes even while threatened? Sadly, we as a nation failed that test in 1942.

Congress enacted legislation in 1942 to implement the internment, and it is now up to Congress to demonstrate our national capacity for justice and wisdom. Let us show the strength of our Nation and our system of laws by admitting the errors of 1942, apologizing for those errors, and making some efforts toward redressing the damage we have done. Moreover, let us state clearly and unequivocally our principle and policy that such wholesale abuse of civil rights will never happen again in this land.

We in Congress began this process of national reconciliation with the creation in 1980 of the Commission on Wartime Relocation and Internment of Civilians. That Commission's study of the events leading up to and the circumstances of the internment is the definitive history of this time, and I urge my colleagues to avail themselves of this great resource.

Following their historical study, the Commission recommended appropriate remedies for the injustices of the internment. Those recommendations are the basis of the bill being introduced today.

In brief, these recommendations include a national apology; measures to correct legal and administrative actions that were part of the Nation's

discriminatory activities at that time; the creation of a civil liberties public education fund for educational and community projects; and the payment from that fund of \$20,000 to each surviving internee.

Similar recommendations were also made by the Commission to redress the damages done to the Native Aleuts who were evacuated from their islands in 1942. Those recommendations are also included in this legislation.

I look forward to discussing these recommendations in detail with my colleagues. I believe they constitute a fair, balanced, and reasonable package. I believe our Government has an obligation to make amends for its errors, and a duty to insure that those errors never happen again.

In speaking about the internment, our distinguished majority leader has in the past quoted Abraham Lincoln. Let me in closing repeat that passage: "Those who would deny freedom to others do not deserve it themselves. And, under a just God, they will not retain it long."

Thank you.●

#### CENTRAL AMERICA—TIME FOR A NEW APPROACH

**HON. JOHN F. SEIBERLING**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. SEIBERLING. Mr. Speaker, despite the clear expression of the House in the vote on the Boland-Zablocki resolution on July 28 opposing further military assistance to the anti-Sandinista guerrillas and despite the call by the governments of the Contadora group for a negotiated end to all outside interference in the affairs of Central American countries, it appears that the Reagan administration's efforts to assist in the overthrow of the Government of Nicaragua are still rolling along as if nothing had changed.

It is difficult to see how the administration can persuasively deprecate Nicaraguan efforts to assist the guerrillas attempting to overthrow the Government of El Salvador, when the same administration is doing the identical thing vis-a-vis Nicaragua.

In doing so, the administration seems to be oblivious to the potentially disastrous effect of its actions on our relations with the people of Central and South America. Nor does it appear to have any clear idea as to what its long-term policy should be to deal with the grave and growing economic and social problems of Central America, especially those of our nearest and largest neighbor, Mexico.

Mr. Speaker, on September 24 I was privileged to attend a meeting of delegations of the House and the European

an Parliament and to be invited to give a paper setting forth a perspective on Central America. Because of its relevance to our continuing problems with Central American policy and because a number of Members have expressed an interest in seeing it, I am offering it today for printing in the RECORD in its entirety including footnotes. In fact, the footnotes may well be the best part of the paper. The full text follows these remarks:

#### A DEMOCRATIC PERSPECTIVE ON CENTRAL AMERICA

I'm happy to present a perspective on U.S. policy toward Central America. I hesitate to call it a Democratic perspective because, while I believe it represents a general viewpoint shared by a majority of the Democratic Members of Congress, I believe it is also generally shared by a significant number of my Republican colleagues, as well as distinguished Republicans outside Congress. However, it diverges from the clear emphasis, and probably the underlying philosophical approach of the Reagan Administration toward the problems of Central America.

On July 19 of this year, the House of Representatives met in an extraordinary secret session to discuss U.S. involvement in Nicaragua. Following an exhaustive debate, the House voted on July 28 for the Boland-Zablocki Resolution, to cut off covert assistance to the anti-Sandinista Nicaraguan guerrillas, and to ask the President to convene a meeting of the Organization of American States to deal with the related security issues. This vote was a follow-up to the Boland amendment, adopted by the House last December by a vote of 411 to 0, prohibiting the President from using CIA funds for the purpose of overthrowing the government of Nicaragua.<sup>1</sup> While congressional efforts to redirect President Reagan's policies may be of limited success, these efforts reflect a determination not to be backed into another costly and divisive counterinsurgency war.

To understand Latin American reactions to our current policy, it is essential to have some historical perspectives. Leaving aside the war with Mexico in 1846-48, major armed interventions by the U.S. in Central America began in 1854 when the U.S. Navy destroyed the Nicaraguan town of San Juan del Sur. During the first third of the century, such unilateral armed diplomacy by the United States became commonplace, with interventions in Cuba, Panama, Mexico, Honduras, Haiti, the Dominican Republic, and, repeatedly, in Nicaragua. Nicaragua was occupied by U.S. Marines from 1912 to 1925 and reoccupied again in 1927.

In 1954, the CIA backed a coup which toppled President Arbenz of Guatemala from power. The political process in Guatemala thus brutally interrupted, that country has been condemned ever since to a cycle of repression and coups by one military dictator after another.

As recently as 1965, President Johnson dispatched over 30,000 U.S. troops to the Dominican Republic. After widespread criticism of this last intervention, the U.S. sought approval from the Organization of American States for the creation of an international peacekeeping force which subsumed the American contingent.<sup>2</sup>

During the two decades of the Franklin D. Roosevelt and Harry S. Truman Administra-

tion, 1933-53, U.S. relations with Central America were dominated by a different approach best described, in Roosevelt's words, as the "Good Neighbor" Policy. This emphasized efforts to establish relations with the nations of Latin America on the basis of mutual respect and non-interference. When the government of Mexico expropriated that nation's oil resources in 1938, Roosevelt, instead of threatening or invading Mexico, accepted the takeover and negotiated a settlement.

In 1948, the Organization of American States was founded as a regional organization within the framework of the U.N. In addition to providing for collective self-defense, the O.A.S. charter calls for the peaceful settlement of controversies and prohibits interference by member states in each others' affairs.

The most recent embodiment of the Good Neighbor approach was the Panama Canal Treaty, negotiated under Presidents Nixon and Ford, and completed and ratified during President Carter's administration. The treaty provided for joint control of the canal and its eventual return to Panama. The result has been a genuine improvement in relations, not only with Panama, but with Latin America generally.

Unfortunately, much of the goodwill generated in Latin America by these past efforts is being replaced by fear and resentment generated by the Reagan Administration's tendency to rely excessively on unilateral, military approaches to the problems of Central America.<sup>3</sup> These approaches have aroused deep fears in the people of the United States, as well as the nations of Central America.

It is not that there is no concern over the possibility of Cuban or Soviet military presence in Central America. This is strongly opposed by most people, and has been played upon by President Reagan. In his speech to the nation on April 28, President Reagan even described the situation in Central America as having global ramifications. "If Central America were to fall, what would be the consequences for our position in Asia and Europe, and for alliances such as NATO?" he asked.

Nevertheless, the people in the United States are, in overwhelming numbers, fearful of being dragged into another Vietnam. The vote on the Boland-Zablocki resolution in the House of Representatives clearly reflects this view. There is also a widespread recognition that the Reagan approach fails to address adequately the causes of instability in the region, notably pandemic poverty, illiteracy, and social injustice. There is a widespread conviction that any intervention, whether overt or covert, that does not address these problems will only make matters worse.

The public in the U.S. is also revolted by flagrant abuses of human rights by governments receiving U.S. support or by elements in those governments. This is a serious problem in El Salvador which is not made better by President Reagan's cynical certifications every six months, required by U.S. law as a condition of continuing aid, that human rights practices there are improving.<sup>4</sup> It has been a problem in Guatemala, as it was in Nicaragua under Somoza. It is no answer to point out abuses of human rights by Communist regimes, since they are not being supported by U.S. aid. Americans have become skeptical about governments that, in the name of anti-communism, justify the grossest of abuses, which, in a by-now classic pattern, outrage and alienate decent

people, further polarize the population, and weaken the possibility of building democratic, centrist alternatives to the extremes of the right and left.<sup>5</sup>

On the other hand, many Americans, and particularly the Reagan Administration, become confused in dealing with Latin American revolutions because of a tendency to feel that any socialist or Marxist-oriented movement will inevitably pose a security threat to the U.S. There is also the feeling that any diminution of U.S. influence weakens us in the global competition with the Soviet Union.

Unfortunately, there is, on the part of many of our national leaders, an inexcusable ignorance about Latin American culture and history. From the Latin American perspective, security involves mainly achieving national integration and freedom from outside interference, whether by Russia, Cuba, or the United States. Central American countries today are trying desperately to break free of the bonds which have inhibited the development of social justice and basic political rights for so long, and which have condemned them to a seemingly endless cycle of bloodshed and repression. The longer the regimes we aid fail to respond to the pressures for education, for freedom from hunger and physical abuse, for freedom of speech and thought, the more their people are pushed to support the insurgents whose cause we find so threatening.

Mexico had a long and painful transition to democracy, one that was exacerbated by U.S. hostility and interference. Accordingly, we had a long history of difficult relations with Mexico. This experience, together with past experience with military and political intervention by the United States, colors the thinking of all Central America.<sup>6</sup>

One must be skeptical about the newly appointed Presidential Commission on Latin America headed by Dr. Henry Kissinger. However, the Commission could perform a genuine public service if it could articulate fairly and understandably the way our Latin American neighbors look at their problems and at us.<sup>7</sup>

The action of the Reagan Administration in providing "covert" assistance to the contras in Nicaragua is in clear violation of U.S. law, the Rio Treaty, and the charter of the Organization of American States. Moreover, even if the Reagan policy toward Nicaragua were to succeed in bringing about the ouster of the Sandinista Regime, it would tend to confirm the fears of the countries of Latin America about continued unilateral interference and domination by the "Colossus of the North," it would weaken the O.A.S. and other inter-American institutions, and it would contribute to further alienation of all Latin America from the United States. Such a turn of events would do far more to promote the objectives of Cuba and the Soviets than the existence of a Marxist regime in Nicaragua is likely to do.<sup>8</sup>

In short, we cannot go it alone in Central America, especially if our policies are geared toward armed intimidation and intervention, rather than conciliation and negotiation. We should use this country's power, working with other governments in Latin America, to achieve a prompt cessation of hostilities in El Salvador and Nicaragua, followed by negotiations between all parties. We should do our utmost to build on the modest proposals of the four Contadora nations,<sup>9</sup> including the mutual cessation of arms shipments into the region, the mutual withdrawal of foreign military advisers from the region, and a mutual guarantee that the

Footnotes at end of article.



territory of one nation in the region will not be used as the base of operations for aggression against other nations in the region. Maximum use should be made of the opportunity afforded by the O.A.S. for consultation, international peace-keeping operations, and supervising the implementation of security agreements. Finally, our policy in the region must be consistent in condemning gross human rights abuses, whether of the left or the right. Our aid should be premised on a meaningful commitment by the aided government to avoid or eliminate such abuses.

The countries of Central America are indeed at a crossroads. There is no political law which says that a revolutionary movement in any country in the region will inevitably land that country in the Soviet camp. However, as the Mexican writer Carlos Fuentes said recently, "If nothing happens but harassment, blockades, propaganda, pressures and invasions against the revolutionary country, then that prophecy will become self-fulfilling."<sup>10</sup>

The Boland-Zablocki Resolution was a clear sign that Members of the House have been listening, learning, and thinking constructively about Latin America. One must hope that President Reagan and his advisers are capable of the same kind of effort.

Unfortunately, the latest statements by Secretary Shultz and CIA Director Casey on Nicaragua indicate that the Administration is changing its excuses but not abandoning its unilateral militaristic approach. The Senate Intelligence Committee this week voted to continue funding the anti-Sandinista guerrillas for six months. Assuming that the Senate supports the Committee, the stage is set for a major confrontation between the House and the Senate on the proper approach to the problems of Central America.

Those in the Administration and the Congress who think the situation in Central America can be handled if only we will apply more military muscle would do well to look closely at Mexico and ask themselves how long military force could contain the kind of explosive pressures building there. The answer is obvious. It is less obvious in the other countries of Central America only because they are smaller and seem easy to intimidate or occupy.

We must move ahead, in collaboration with other Central American governments, to substitute a multilateral, diplomatic approach for unilateral military approaches in Central America. But even more important, we need to get together with our neighbors in Central America, and particularly Mexico, in a major effort to develop and implement a comprehensive plan for helping Mexico and the rest of Central America break out of the vicious circles of poverty and exploitation that threaten to bring them all—and us—to a common disaster.

The threat to our security is just as great, the urgency is just as compelling as it was when Gen. George Marshall proposed the famous Marshall Plan for Western Europe.

#### FOOTNOTES

<sup>1</sup> Copies of the Boland-Zablocki Resolution as passed by the House on July 28, 1983, and of the Boland Amendment, adopted by the House on December 8, 1982, are attached.

<sup>2</sup> The 1961 abortive Bay of Pigs invasion of Cuba, while nominally an action of anti-Castro Cubans, was organized and directed, and the invaders trained and armed, by the CIA.

<sup>3</sup> Ironically, the Administration's covert arrangements for using the Argentine military to train anti-Sandinista Nicaraguans encouraged the Argentine junta to think its invasion of the Falklands/

Malvinas in 1982 would not be opposed by the U.S. In the event, the U.S. correctly opposed the Argentine aggression, but the result was a significant weakening of hemispheric unity.

<sup>4</sup> The current certification requirement is due to expire in October, 1983. It seems likely that it will be replaced with a more stringent requirement. For example, H.R. 2992, the International Security and Development Cooperation Act of 1983, would predicate U.S. military aid to El Salvador on a certification by the President that the Government of El Salvador has formulated specific programs to severely curtail human rights abuses and to improve the quality of life of its citizens. Congress would be able to veto these certifications. H.R. 2992 was reported by the House Foreign Affairs Committee on May 18, 1983.

<sup>5</sup> In commenting on an earlier interventionist misadventure, the 1961 Bay of Pigs invasion of Cuba, the late Walter Lippmann wrote:

"A policy is bound to fail which deliberately violates our pledges and our principles, our treaties and our laws . . . The American conscience is a reality. It will make hesitant and ineffectual, even if it does not prevent, an un-American policy . . . In the great struggle with communism, we must find our strength by developing and applying our own principles, not in abandoning them . . . We have used money and arms in a long losing attempt to stabilize native governments which, in the name of anti-communism, are opposed to all important social changes . . ."

This has been exactly what (communist) dogma calls for—that communism should be the only alternative to the status quo with its immemorial poverty and privilege."

<sup>6</sup> It is no coincidence that the most democratic, stable country in Central America is Costa Rica, which, unlike its neighbors, has universal education and no military establishment.

<sup>7</sup> The work of the Kissinger Commission has been made easier in this respect by the outstanding report of the Inter-American Dialogue published by the Woodrow Wilson Center in Washington, D.C. in April of this year under the title "The Americas at a Crossroad." Chaired by Sol Linowitz, former U.S. Ambassador to the O.A.S. and negotiator of the Panama Canal Treaties, and Galo Plaza, former Secretary-General of the O.A.S. and former President of Ecuador, the panel consisted of distinguished men and women from Latin America and North America.

<sup>8</sup> Consider the remarkable congruity of the following statements by two individuals of diverse backgrounds:

" . . . the congressional and public instinct on Nicaragua is correct today. We are not likely to get away with toppling the Nicaraguan government by covert means. Even if we do, though, it will likely (be) a pyrrhic victory. The other costs to us will be high."

"Just the costs of our appearing to attempt to destabilize a government of Nicaragua are high because we are widely seen as sponsoring the return to Nicaragua of the supporters of the dictator Anastasio Somoza. This can only reduce our standing in the countries in this region where we have truly important interests: Mexico, Panama, Venezuela and Brazil."

"If we are worried about a domino effect engulfing these nations, we should be doing all we can to bolster the internal strengths of those countries. Being seen as supporting 'Somocistas,' whether true or not, is a sure way to undermine our ability to play a supporting role."—Admiral Stansfield Turner, former Director of the CIA, writing in the Washington Post, April 24, 1983.

"Rightly or wrongly, many Latin Americans have come to identify the United States with opposition to our national independence."

"The mistaken identification of change in Latin America as somehow manipulated by a Soviet conspiracy not only irritates the nationalism of the left. It also resurrects the nationalist fervors of the right—where, after all, Latin American nationalism was born in the early 19th century."

"You have yet to feel the full force of this backlash which reappeared in Argentina and the South Atlantic crisis last year in places such as Peru, and Chile, Mexico and Brazil. A whole continent in the name of cultural identity, nationalism and international independence is capable of uniting against you. This should not happen"—Carlos Fuentes, Mexican diplomat and writer, Commencement Address, Harvard University, June, 1983.

<sup>9</sup> Colombia, Mexico, Panama, and Venezuela.

<sup>10</sup> Commencement Address at Harvard University, June, 1983. Compare the remarks of Rep. Jim Leach, in House floor debate Aug. 4, 1983, at CONGRESSIONAL RECORD page H 6571:

"One does not have to assume the Nicaraguans are Eagle Scouts to come to the conclusion that the Nicaraguan Government, like the United States, has a vested interest in peace. Furthermore, while the latest statements emanating from Managua have been heralded as a sudden shift in the position of that government, they are, with several exceptions, not all that different from those made by Nicaraguan officials when Congressman Solarz and I visited the country in January. They are beseeching the United States, then as now, for negotiations. It would be misleading to now assume that these latest statements are the direct or exclusive result of administration demonstrations of military force. Waving the flag may impel potential enemies to reconsider their actions. It may also force them into stronger alliances with parties we would not prefer and cause them to build up further internal preparations for war. It is not at all clear which effect has been stronger in Nicaragua."●

#### THE DEFICIT

HON. RICHARD RAY

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. RAY. Mr. Speaker, Friday, the U.S. House of Representatives finished action for fiscal year 1983.

When operations were completed on Friday, our Government had managed to spend \$207 billion more than we had in our bank account. In spite of all the concerned rhetoric and the fervent promises by those holding the checkbook, this year our overspending was at record levels.

To me, this is firm evidence that the Congress of the United States failed in its role of budgetkeeper for our country.

I realize that the role of fiscal conservative is not a popular one. Advocating wise and prudent spending in order to shore up our country's economic foundation is popular rhetoric, but few will put their actions behind their words.

Members of Congress appear to be worried that, after years of budget-busting, responsible spending votes may hurt them politically.

I do not believe that the people of America are as greedy and shortsighted as some politicians seem to think.

During my campaign last year for this office, I received a strong message from thousands of people in my district—a message which said, "Go to Washington and cry out against the outrage of fiscal irresponsibility."

I listened to the message which my constituents sent and have voted with this edict in mind.

I have sat, as a freshman Member of this esteemed body, and listened as time and time again we in Congress found legislation to implement, ignoring that we did not have the money to pay for it, thereby adding to an ever increasing national debt.

Many times, there were those of us in the House that voted against these

bills—not because they were not worthwhile but because we simply cannot afford to keep spending money that our Government does not have.

But, almost invariably, these spending bills passed because Members of the House did not have the courage to take a strong stand for fiscal conservatism.

During the last few days, many of the newly arrived Members of this body have, in a state of frustration, sought ways to reconcile these "extra expenses" with our depleted bank account.

My colleagues on the Ways and Means Committee, charged with the responsibility to raise approximately \$12 billion in new money for fiscal year 1984, are searching for ways to tax the people to bring about this reconciliation. Others are digging for ways to cut back on our spending, now that we have already authorized the funds.

My friends, I am no economist.

But, my country economics tell me that it is easier to reconcile if you do not authorize.

I was raised in an atmosphere of living within your income and paying your bills.

I was taught to believe that debts must be paid or a reckoning day would eventually come.

I believe that if our monetary system is to survive as we know it today, our treacherous national debt of \$1 trillion, 500 million will have to be paid.

To make this happen, the U.S. Treasury and its authorizing body, the U.S. House of Representatives is going to have to adjust its Santa Clause habits.

Our Nation's problem is not this year's outrageous budget deficit. A country with the economic potential and the growth potential of ours could probably sustain a 1-year deficit of this amount without great problems.

Our problem is that our country is continuing rapidly on a path of reckless spending, paying no attention to the warning signs we pass along the way. These warning signs are coming closer and closer together, as our economic recessions become more and more frequent.

As our national debt grows higher, and as the Government absorbs more of the funds available for private expansion, it becomes increasingly more difficult for us to emerge from recessions.

More importantly, it becomes impossible for us to obtain real economic recovery.

We are all familiar now with the astounding figures which have been put out concerning America's spending record.

Federal deficits are now in the \$200 billion range, and are predicted to reach \$300 billion in the late 1980's. As

mentioned, our national debt, already over \$1 trillion, will more than double to \$2.8 trillion by 1988.

Unfortunately, we seem to have become hardened to the enormity of these figures.

Recently, during debate over the funding of \$200 million for a project, a Member of Congress argued that "This is no more than a wart on a frog."

Increased responsibility and concern are needed at all levels of the spending process, not just in Congress where the budgets are set.

A prime example is the massive contract spending done by the Pentagon on Friday. The \$4.2 billion which the Pentagon spent Friday is the largest single amount ever spent in 1 day on defense expenditures.

This money had been approved by Congress, and undoubtedly the purchases were necessary; however, it was generally regarded by the press as an example of last-minute bureaucratic spending to prevent any surpluses in the Pentagon account.

I am a firm proponent of a strong defense. However, I also believe that defense, like every other area, wastes money through irresponsible spending.

Through my service on the Investigations Subcommittee of Armed Services I have been allowed to take part in hearings concerning waste in the procurement of small parts.

The horror stories of the low-level purchasing agent that authorized the purchase of a small, 4 cent part at the cost of \$104 are unfortunately true. And, although this example has become somewhat famous, sadly it is also far too common.

This type of waste must be stopped and sincere efforts must be made to guard the Government's checkbook as jealously as we guard our own.

Reducing our deficit will not be easy.

For those of us serving elected positions, it will be particularly difficult. But, if your true concern is for the good of America, then find the courage to take the politically difficult steps which will restore our country to economic security.

I believe that the people of America are ready for their elected officials to stand up and be counted—to vote like they talk.

I want to invite my colleagues to join me in doing just that.

In the final analysis, there is no choice; for if we do not take these steps, our country will not survive.●

## A BILL ON TRADE LAW

HON. JOSEPH M. GAYDOS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. GAYDOS. Mr. Speaker, there is a direct relationship between a major fraction of our unemployment in the United States and the trade and industrial development policies of our foreign trading partners.

There is a direct relationship between these foreign trading policies and our predicted trade deficits of \$70 billion this year and \$100 billion the next.

Respected international economists say that a trade deficit of that magnitude means as much as an additional 3 million unemployed in the United States.

In some instances in steel, this country has taken as much as 50 percent of the total exports of a trading partner.

This Nation has taken as much as 50 percent of the total exports from a country that built its steel industry on very low cost loans coming through institutions financed by the United States; and they have targeted for export.

In 1982 the situation became so grave that the number of trade cases brought before the Department of Commerce and U.S. International Trade Commission increased by 500 percent over the year before. It still is grave.

The industries and enterprises bringing these cases range across the economy from heavy industry to agriculture, and there is much discontent among them.

They say our trade laws are not working as they were supposed to work and that our trading partners are more intent on keeping their people working than on following the international agreements on trade.

For these reasons I have joined today in introducing the Comprehensive Trade Law Reform Act of 1983.

The introduction of this bill is meant to insure the widest possible consideration and most thorough debate possible as this body takes up the question of trade.●

## ANOTHER "MIRACLE WORKER" IN ALABAMA

HON. RONNIE G. FLIPPO

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. FLIPPO. Mr. Speaker, "No one is ever so tall as when they stoop to help a child."

Practically everyone has heard the inspirational story of Tuscumbia,



Ala.'s Helen Keller, who was stricken by disease at age 19 months and left blind and deaf.

Yet she overcame the twin disabilities to become "America's First Lady of Courage" and a symbol to all mankind that disability and misfortune can be conquered.

Her teacher, Anne Sullivan, became known as "The Miracle Worker" and the award-winning play and movie by that name are now internationally famous.

I know of another candidate for "First Lady of Courage" and this "Miracle Worker" also lives in Alabama.

Her name is Mrs. Chessie Harris, 1809 Carson Lane, Huntsville, Ala.

If it were my lot to nominate or recommend saints, I would unhesitatingly nominate Mrs. Chessie Harris.

Mrs. Harris and her devoted husband, George, have raised and cared for 841 children. I want you to think about that for one moment and just let it sink in. They have raised 841 children.

That is incredible.

That is incomprehensible.

That is love, purely and simply.

In June of 1954, someone put a 5-month-old girl in a cardboard box and left her in an abandoned house. The baby's cries alerted passersby, who took the child to the welfare agency. But there was no place in Alabama to keep black children at the time.

There were other children walking the streets, eating from garbage cans, left home alone, getting by the best way they could, if they could.

"I couldn't stand it, I just couldn't stand it," Mrs. Harris remembers.

Mrs. Harris not only took in that 5-month-old girl, abandoned in a cardboard box, she started taking in other children. Her loving husband and her own four children said, "Mama, we'll do anything we can."

Two little boys, locked out of their so-called home, were brought to her shortly afterward. Before long, there were 26 children living in that six-room house, 4 of her own and 22 who belonged to someone else.

"Suffer the little children to come unto me and forbid them not; for such is the Kingdom of God." Mark 10:14

Elizabeth Barrett Browning said: "How do I love thee? Let me count the ways."

Mrs. Harris looked at these poor, neglected homeless children and said: "How do I love thee? Let me show you the ways."

From 1954 until 1961, they got by as best they could with a garden, a cow and some chickens. Mr. Harris even took a job in Ohio and sent money home to help care for the children.

In 1961, the Harris Home became an agency of the United Way. But that was only \$55,000, and though it was greatly appreciated and stretched in

every way possible, the children had not stopped coming to the house and there were many mouths to feed.

In 1975, a close friend suggested that she take the United Way contribution and use it for matching money for title XX funds.

For so long, there was no base for financial support. No one church, no one club, no single benefactor. Yet this kindly lady gave credit to the community: "When the people were informed, they did an outstanding job in seeing that these children were provided a home," Mrs. Harris said.

But it isn't hard to see who had the day-to-day responsibility of putting food on the table. There must have been hundreds of times when all she got was a pat on the head.

For more than 20 years, she had taken care of scores of children without asking the State legislature for a dime.

When her caring did reach the State capitol, she was given \$125,000 to help build a new facility for the children. Gov. George Wallace paid tribute to her humanitarian work by declaring January 16, 1978, as Chessie Harris Day in Alabama.

It is my belief Mr. and Mrs. Harris deserve national recognition for their unselfish labors. It is good to know of their acclaim by the General Conference of Seventh-day Adventists.

After her third heart attack, Mrs. Harris has retired as director of the Harris Home. Mrs. Barbara Lloyd is now responsible for administration of the 22-member staff, which includes a teacher and teacher aid.

We do, indeed, have another candidate for "First Lady of Courage" and "Miracle Worker", as well as a candidate for "Mother of the Century".

If one feels like saying, "God bless you, Mrs. Harris," there is no need.

Mrs. Harris has been blessed.

Mrs. Harris is a blessing. ●

#### JOBLESS BENEFITS CRITICAL TO ALLEGANY, GARRETT, AND WASHINGTON COUNTIES IN MARYLAND

HON. BEVERLY B. BYRON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mrs. BYRON. Mr. Speaker, according to the latest statistics—July 1983—Maryland has a State unemployment rate of 6.3 percent, among the 10 lowest in the country. From a comparative standpoint, in my district, Allegany County has 11.8 percent, Garrett has 14.3 percent, and Washington has 11.9 percent. These figures do not include the most recent plant closings of Fairchild, Celanese, and Mettiki Coal Mine so the unemployment rate for

this tricity area must be at 15 percent.

I supported H.R. 3929—the Federal Supplemental Compensation Act of 1982—and am particularly pleased that our bill included the reach-back benefits provision. This provision assists individuals who have exhausted or are receiving FSC benefits as of October 1, 1983. Our bill also included a required Department of Labor study, due next April, on the feasibility of targeting benefits to sub-State areas. The exchange of this information with the States should be mutually beneficial. In fact, it is the desire of many State legislators that Maryland will call a special session and deal with this problem immediately.

Prompt action at the State and Federal level is required. I agree with the editorial in today's Washington Post that these "are not trivial concerns" and deserve the highest priority from the Congress to meet the basic needs of those "who have suffered most from the recent deep recession." Therefore, Mr. Speaker, I urge prompt action by the House and Senate conferees and also advocate a strong stance by the House conferees in support of our version, particularly the reach-back benefits provision.

At this point, I include the editorial from the Washington Post.

[From the Washington Post, Oct. 6, 1983]

#### JOBLESS BENEFITS IN DANGER

Unless House and Senate conferees are able to resolve their differences quickly, thousands of jobless workers around the country will have their unemployment benefits abruptly terminated. These are workers who have used up all their regular unemployment benefits and have been receiving special federal benefits under a law that expired last Friday.

Both houses recognize the need to extend the temporary federal benefit program until more permanent reforms can be made. Because of changes made in 1981, extra state benefits are being paid in only two states while total unemployment remains at record levels. But the House wants to provide somewhat more generous benefits—especially for people who have been out of work for many months. It is also rightly concerned that the so-called insured unemployment rate, which now determines how long extra benefits are paid in each state, has been behaving in mysterious ways. Not only is the gap between insured unemployed and total unemployment abnormally high, but some states with lower total unemployment now measure higher insured rates than other states that are in more serious labor market trouble. To make the system fairer, the House would count total unemployment in determining state benefit extensions.

The Senate, under strong pressure from the administration, wants to keep costs much lower—primarily by denying extra benefits to the long-term jobless who have already used up their previous benefits. It also wants to renew the federal program long enough to delay reconsidering this politically tricky issue until after the next election. And the Senate is also concerned

about the technicalities of changing the yardstick by which unemployment is measured for program purposes.

These are not trivial concerns, but they are not important enough to justify considerable hardship for the very people who have suffered most from the recent deep recession. The unemployment insurance system is certainly in need of basic overhaul, but for the moment only stopgap measures are attainable. Ways and Means Committee chairman Dan Rostenkowski has proposed a reasonable compromise between the House and Senate positions that the conferees should take.●

#### SYRIA'S ROLE TODAY

#### HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. SCHUMER. Mr. Speaker, despite a period of staunch U.S. opposition to Syrian involvement in Lebanon, the administration now appears willing to permit Syria a greater role in Lebanon's internal affairs. This shift in U.S. policy, if carried out, represents a dangerous concession to a hostile and unreliable enemy of the United States, Israel, and an independent, stable, pro-Western Lebanon. Yet, to understand this danger, we must first examine Syria's history and outlook. In my remarks, I wish to provide this necessary background. I hope that my colleagues will share my belief in the need to prevent Syria from meddling in Lebanese politics.

President Assad's firm—and predictable—opposition to America's peace-making effort spearheaded by special envoy Robert McFarlane requires a re-examination of Syria's role and objectives, from the perspective of American policy interests.

#### THE SOVIET CONNECTION

Of primary concern to the United States must be the extent and depth of the Soviet-Syrian connection, for the Soviet Union's heavy involvement with Syria is a crucial facet of Moscow's global confrontation and rivalry with the United States.

Moscow's deep penetration of Syria has provided it with a major base from which to pursue its broad strategic and geopolitical aims in a vast region that is vital to the United States, the NATO alliance, and the West in general; the eastern Mediterranean, Turkey, and the Middle East.

While immediate, parochial regional issues—such as the Iraq-Iran war and the Arab-Israeli conflict—have a direct bearing on Moscow's purposes, they are not paramount. They are significant primarily to the extent that they can be exploited to facilitate Moscow's longer range and larger ambitions:

To dilute American influence;

To intimidate and weaken America's allies and friends;

To foster and exploit local conflicts that will disrupt the regional stability necessary to the West and to peace;

To deprive the West of essential economic resources;

To attain a powerful Soviet presence in the area; and

To dislodge America from its position there eventually—with all the destabilizing political and strategic consequences such a loss would entail for America throughout the world.

Syria has become the linchpin of these overall Soviet strategic interests. This is the first case of such an extensive involvement with a major power in the regional heartland since the Soviets were ejected from Egypt in 1972, for until now the Soviet connection has been with peripheral states like Ethiopia, Libya, Yemen, and Aden.

A measure of the importance Moscow attaches to this strategic cooperation is the extent of Soviet military supply to Syria—which long antedates the 1982 Lebanon war, having begun in the 1970's, and been accelerated by the 1980 friendship treaty.

Thus the decision to speed up the enormous reinforcement of Syria's armed might did not stem simply from the need to replenish the heavy losses of military hardware sustained by Syria last year. The heavy rearmament of Syria—valued at \$2 billion—was dictated by the pattern of Soviet global-regional strategic purposes.

The military equipment includes the most sophisticated tanks and planes and the most advanced antiaircraft missiles—(SAM-5)—in the Soviet arsenal, a type never before deployed outside Soviet territory. Two new armored divisions have been equipped, and the Syrian port of Tartus has become a Soviet naval base providing support for Soviet submarines in the eastern Mediterranean. Heavy armored and artillery equipment has been stockpiled for potential use by Soviet forces.

The Soviets were alarmed by the ease with which the Israeli forces destroyed the Soviet equipment in Syrian hands in Lebanon, and since Soviet military doctrine calls for dominance in air battle, the Syrian air defense was taken out of Syrian hands. Some 5,000-6,000 Soviet military personnel now operate and guard the advanced equipment, especially the missiles.

The Soviet missiles are a potent threat not only to Israel but to NATO as well.

The 150-mile range of the SAM-5's is sufficient to cover Jerusalem and Tel Aviv. From their northernmost sites, they can reach NATO bases in the eastern Mediterranean and the main NATO base at Incirlik in eastern Turkey.

An interlocking electronic satellite communications and control system, involving six different types of mis-

siles, can link Damascus, via Soviet ships in the Mediterranean and a relay station at Baku in the Caucasus, to Soviet air defense headquarters in Moscow.

Thus, this complex, comprehensive and advanced Soviet presence in Syria is aimed not only at undermining the deterrence potential of Israel—which has been a unique barrier to the Soviets and their Mideast proxies—but at threatening Western naval and air maneuverability in the strategically vital eastern Mediterranean.

Syria also plays an influential role, comparable in some important respects to that of Cuba, as an ideological and political ally in the Soviet global strategy. Syria has made useful connections with the Marxist-Leninist regimes in Nicaragua and North Korea.

In the Middle East, it maintains close ties with the pro-Soviet regimes in Ethiopia, Libya, North Yemen, and Aden. It is also deeply involved with the main terrorist groups seeking to subvert and overthrow pro-Western governments in Oman and Somali: the Soviet-supported Popular Front for the Liberation of Oman and the Soviet-backed Democratic Front for the Liberation of Somali.

Syria is also an important intermediary on an ongoing basis between the Soviet Union and Iran.

#### THE SYRIAN REGIME

Syria's ideological and political affinity with the U.S.S.R. has facilitated a Soviet penetration that goes well beyond the military. It operates on many levels of Syrian life—economic, agricultural, commercial, scientific, cultural, et cetera.

But whatever the paramount Soviet interest is in this alliance, it also, serves Syria's fundamental regional objectives as well. The effective support of the Soviet Union is enabling Syria to consolidate its leadership role in the Arab world, as the most powerful state in the region. It can thus take the lead in the Arab war against Israel, in intimidating Saudi Arabia, overshadowing Iraq, and extending its hegemony in Lebanon and, potentially, in Jordan.

For many years after it attained independence in 1946, Syria was marked by instability, purges, assassinations and coups. This fragility led to the intervention of the military, culminating in the 1963 coup that brought the Ba'ath party to power.

In Ba'ath ideology, Western ideas of nationalism and socialism, pan-Arabist notions of Greater Syria and Islamic traditionalism mingled uneasily. Ba'athist rule is based on an alliance of the military with the party organization, exemplified by President Assad, who is both supreme commander of the armed forces and head of the party and state.



The country is 80 percent Muslim, divided by hostility between the Sunni majority and the Shia minority, and it also has many minority groups: a host of Christian sects; and remnants of ancient peoples like the Kurds, Armenians, Chaldeans, and Jews.

The regime is run by a coterie of military officers headed by Assad and his brother, trusted members of the small Alawite community. The Alawites, though Muslim, are neither Sunni nor Shia, and are distrusted by both. The regime has failed to reconcile the riven society's conflicting segments and interests, and rules by repression.

No more gruesome instance exists than the February 1982 massacre of up to 25,000 citizens of the city of Hama, accompanied by the destruction of scores of mosques and synagogues—in retaliation for a small uprising of Muslim extremists there. This slaughter was nearly matched by the Syrian assault on PLO strongholds in Lebanon in 1976, in which thousands of Palestinian Arabs were killed, and by murderous attacks upon Lebanese Christians since then.

The only basis for unity at home—and for its expanding power role in the Arab world—is its bellicose stance against Israel. Moreover, Damascus has always asserted its right to at least hegemony over a large slice of Lebanon. Syrian leaders have repeatedly declared that "Syria and Lebanon are one country," and have made no secret of their wish to annex it. Damascus has never accepted an independent Lebanon, does not recognize its legitimacy, and has never had an ambassador in Beirut.

Though Syria entered the country in 1976 at the behest of then-President Suleiman Franjeh, it has shown no inclination to bow to current President Gemayel's desire that it withdraw, and it has ignored the Arab League's refusal last year to renew its peacekeeping mandate. It has, moreover, sponsored a full-scale rebellion in PLO ranks, in order to transform it into a totally subservient instrument of Syrian policy objectives in Lebanon and against Israel.

There remain reasons, nevertheless, to hope that in time Syria might soften its intransigence, if only for pragmatic ends. The uncomfortable proximity of Israeli forces in the Bekaa Valley, less than 20 miles from Damascus, might well be an effective inducement for Syria to pull out eventually. And, with patient prodding from the West and with quiet resistance to its unrealistic expectations, Syria might well come to accept the facts on the ground realistically, and recognize Lebanon's independence and its neutrality in Syria's campaign against Israel.

What is required is perseverance, refusal to be intimidated, and resolve in

the West to understand and resist Soviet-Syrian encroachment.●

## THE CABLE TELECOMMUNICATIONS ACT OF 1983

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. MARKEY. Mr. Speaker, today I join several of my colleagues in introducing the Cable Telecommunications Act of 1983. I want to take this opportunity to make clear my rationale for cosponsoring this legislation.

I do not think that this bill, in current form, is perfect or even near perfect. I do think, however, that it is much better than S. 66, its counterpart which was passed by the Senate. It represents a positive and sincere effort to reach agreement on many of the most important points dividing cities and the cable systems. I think that this agreement remains incomplete, and my cosponsorship of this bill indicates my willingness to take an active role in the process of improving and finishing the legislation.

The bill does contain important provisions to improve the status quo for cities and their residents. Notably, it gives affirmative and clear authority to cities to grant and regulate cable franchises. This authority had been called in question by the Supreme Court in the Boulder decision. Thus, cities can be assured that they are no longer in danger of being completely stripped of all of their power over cable operators, as they are now.

This bill makes progress over S. 66 on the diversity and supply of information issue. It provides for concrete standards for commercial leased access. It further safeguards existing and planned uses for public, educational, and governmental access. It provides for a citizen right to cable, and removes landlords as a roadblock to the availability of information of millions of American homes. All of these provisions need work; I am cosponsoring this bill to demonstrate my eagerness to work to improve and refine these stipulations.

Renewal expectancy remains a difficult and contentious subject. I understand the anxieties of many cities over this subject. But the allowance for city-demanded system upgrades and channel-capacity increases goes a long way toward dealing with this problem for older systems especially. This section too needs improvement, but the bill introduced today is a step in the right direction.

I have seen better bills in my work in Congress. But I have seen worse too—and closest to home, I have seen S. 66 and have concluded that this bill is a better one. I will work with Chair-

man WIRTH over the weeks ahead to produce a viable substitute or amendment package that makes this legislation more equitable, technically improved, and sound policy for cities, cable companies, and consumers.●

## STRATEGIC MATERIALS COLLATERAL CORPORATION CHARTER ACT

HON. COOPER EVANS

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. EVANS of Iowa. Mr. Speaker, today I am pleased to introduce the Strategic Materials Collateral Corporation Charter Act. It is a bill offered to give the additional flexibility required to move more agricultural exports from the United States through a secured credit mechanism. Before I explain the specific provisions of this bill, I would like to discuss the circumstances which prompted this legislation.

Although the economic conditions in the United States are improving, the world debt situation is having an adverse impact on our exports. Countries with high, long-term debt are finding commercial banks throughout the world unwilling to extend additional short-term credit, which is necessary to finance needed imports. Trade statistics clearly indicate this choking of imports for the high-debt countries—in the first 7 months of 1983, total U.S. exports to Brazil, Argentina, Chile, Mexico, Peru, Indonesia, the Philippines, Nigeria, and Zaire decreased 34.8 percent compared to the same period last year.

Total U.S. agricultural exports for this year are forecast at \$34.5 billion, a 12-percent decrease over last year. This is also over \$9 billion below the record high of \$43.8 billion in 1981. Of the 10 high-debt countries mentioned above, 7 (Brazil, Indonesia, Mexico, Nigeria, Peru, Zaire and Venezuela) have also shown dramatic decreases in agricultural purchases from the United States in the last year.

Recent efforts to circumvent the problems of unsecured credit and to otherwise stimulate agricultural shipments have included a renewed interest in the U.S. Government barter program which was so active between 1950 and 1973. Under this program over \$1.7 billion worth of agricultural products was swapped for some 60 strategic and critical materials from 50 countries. However, as the Government-owned surpluses of farm products diminished and commercial sales expanded, the appeal of barter evaporated. The situation is changed now with commercial export sales decreasing, the Government owning over \$3 billion in surplus dairy products, and

the existing \$10.3 billion deficit in the national defense stockpile.

In the last 18 months, two barter arrangements have been negotiated involving the exchange of Jamaican bauxite for U.S. dairy products. However, the process to arrange these two deals was not easy—both required explicit direction by the President. There are now 20 bills pending in this Congress which are aimed at updating and improving the laws under which a Government-affiliated, barter program must operate. I am confident that progress will be made in enacting the required changes of the barter laws.

The bill I am introducing goes beyond the existing barter laws. It promotes the storage of materials needed for the national defense stockpile as collateral for the export of U.S. agricultural products. Currently, the national defense stockpile purchases are severely hampered by the size of the annual appropriation of \$120 million. At the same time, many of the materials required for the national defense stockpile are available primarily from foreign sources. For example, during 1978-82 our import dependency averaged 94 percent for bauxite; 73 percent for nickel; 85 percent for flourspar; and 100 percent for columbium, quinidine, and rubber. Under this bill, foreign nations could transport materials specified for the national defense stockpile to the United States for storage and be issued a negotiable warehouse receipt for these materials. An American bank will then accept the warehouse receipt as collateral for agricultural purchases. The warehouse receipt which the Strategic Materials Collateral Corporation issues will specify that in the event of national emergency or proposed withdrawal of the material from storage, the U.S. Government has the right to purchase the material at current market price. Further, the bill specifies that this new corporation will be small and will not sap taxpayer funds.

Mr. Speaker, as my interest in easing the problems that U.S. agricultural exporters and food importers in developing countries has expanded, I have talked with several bankers involved in international trade finance. These bankers assure me that this proposal will work with benefits to the U.S. farm exports and food-importing nations. It also appeals to potential exporters of strategic materials in developing countries who prefer a warehouse receipt offered by a government entity rather than a commercial interest. And additionally, the national defense stockpile will have the comfort of knowing that strategic materials are in the United States in the event of a national emergency while, at the same time, no appropriations are necessary. ●

## THE PONY EXPRESS TRAIL

HON. NORMAN D. SHUMWAY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. SHUMWAY. Mr. Speaker, I am introducing legislation that authorizes for study the Pony Express Trail as a national historic trail. The Pony Express fast mail relay system constituted a crucial turning point for western expansion and development. The route followed by the Pony Express represents an episode in our Nation's history that is worthy of this special recognition.

The Pony Express Trail ran between Saint Joseph, Mo.—the western terminus of the railroads in 1860—and extended to Sacramento, Calif., for a total distance of about 2,000 miles. Upon arrival in Sacramento, the letters and important dispatches were taken by steamer to anxious recipients in San Francisco. The route left Missouri and followed the well-traversed Oregon Trail through Kansas and along the Platte River in Nebraska. Before leaving Nebraska, the route dipped south into Julesburg, Colo., then headed north into South Pass, Wyo. At Fort Bridger, Wyo., the Pony Express Trail left the emigrant trail and swung south to Salt Lake City, Utah, before running due west across the salt desert and Badlands of Nevada, over the Sierra Nevada Mountains, and down into Sacramento.

Pony Express service began on April 3, 1860, and continued until October 24, 1861, when the first transcontinental telegraph line was completed. During the Pony's 18 months of glory, 318 runs were made each way for a total of approximately 600,000 miles. The mail was lost only once.

This perilous venture was conceived and operated by the freighting and stageline firm of Russell, Majors & Waddell. Important promotional support was provided by California Senator William M. Gwin. These pioneers of transportation intended to demonstrate the superior feasibility of a central overland mail route over the existing circuitous 2,800-mile southern route followed by the Overland Mail Stagecoach Co. The three entrepreneurs hoped to secure lucrative mail contracts as a result of this service.

The fearless riders who galloped along the route day and night through all kinds of weather and adversity deserve highest praise. Mail was carried in rainproof leather pouches or mochilas strapped to the front and back of the saddle. Each man rode about 75 miles at full speed, stopping only to transfer to fresh ponies at manned relay stations located at intervals of 10 to 15 miles. The heroics of these young horsemen, who averaged approximately 19 years of age, are well

documented and inspired great American artists including painter Frederick Remington and author Mark Twain.

Although the Pony Express was a financial disaster for its proponents, it proved that correspondence could be delivered in 8 to 12 days over the central route. Like the transcontinental telegraph and railroad which succeeded it, the Pony Express provided an improved communications link between the widely separated eastern and western segments of the country. It heightened the demand for expedient transcontinental linkage prior to the outbreak of Civil War. In fact, the fastest time recorded by the Pony Express occurred in November 1860 when news of President Lincoln's election victory was carried from Fort Kearny, Nebr., to Fort Churchill, Nev., in 6 days. It is interesting to note that the Pony Express route is generally followed by the interstate highways and airplane flight paths of today.

Finally, the Pony Express is a cultural record that embodies the finest American qualities of private enterprise, fortitude, courage, teamwork, and commitment to excellence. Just last May, members of the National Pony Express Association, headquartered in Pollock Pines, Calif., were pressed into actual pony express service to deliver the mail following a massive landslide on Highway 50. Plainly, the spirit and ingenuity of the original Pony Express live on.

Specifically, my bill simply provides for a long-overdue study of the Pony Express Trail under the National Trails System Act. Such studies are conducted by the National Park Service under the direction of the Department of the Interior. ●

## IMPROVING OUR FOOD SAFETY LAWS THROUGH MODERNIZATION

HON. EDWARD R. MADIGAN

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. MADIGAN. Mr. Speaker, I am today introducing a bill which is designed to provide a legislative forum in which we can appropriately discuss the need to modernize our food safety laws to insure that America's food supply remains the safest in the world.

This legislation, "The Food Safety Modernization Act of 1983," is a bipartisan attempt to provide a scientific and technological basis for improvement in our food safety regulatory system—a system which, without further attention, runs the risk of becoming outdated and incapable of allowing proper regulatory responses to changes in pertinent scientific advances and information. An identical



bill is being introduced in the other body by Senator ORRIN HATCH.

This legislation can provide the "ounce of prevention" that can allow the Congress to avoid a "pound of cure" for future food safety problems.

Our present food safety statutes contain what is known as the Delaney clause which provides that no food additive shall be deemed safe if it is found to induce cancer when ingested by humans or animals. In other words, it provides for zero risk as the basis for food safety regulations. The Delaney clause is now more than 20 years old and is still on the books. However, the modern capability of science to detect substances in food in the parts per billion or trillion range thus permits detection of carcinogens in food at levels so low that they may not present a significant risk to human health.

Therefore, there is a need to begin deliberations on what changes are needed in our food safety laws to enable them to keep pace with current scientific technology.

Studies by the U.S. General Accounting Office (GAO) have confirmed the need for major legislation to establish an up-to-date, workable food safety policy that effectively will regulate cancer-causing food additives while at the same time assuring the continuation of ample and safe amounts of food. In an overview of its past studies released by the GAO only last month, this watchdog agency again confirmed that improvements could be made in both the authorizing legislation and in program administration.

I believe that now is the time to start talking about where we go from here. It is a propitious time to take up this matter—a time when no particular food additive question, such as the very emotional nitrite question of recent years, is at issue. In this setting, food safety reform legislation is not a squeaky wheel looking for political grease. I am hopeful we can move forward in considering all of the complex issues involved in food safety.

I encourage my colleagues to review the accompanying section-by-section analysis of the "The Food Safety Modernization Act of 1983." I earnestly solicit your support in this important task.

#### SECTION-BY-SECTION ANALYSIS OF THE "FOOD SAFETY MODERNIZATION ACT OF 1983"

##### I. INTRODUCTION

The "Food Safety Modernization Act of 1983" (the "FSMA") contains several significant amendments to the food safety provisions of the Federal Food, Drug and Cosmetic Act (the "FDCA") and conforming changes to the Federal Meat Inspection Act (the "FMI Act"), Poultry Products Inspection Act (the "PPI Act") and Egg Products Inspection Act (the "EPI Act"). The FSMA is a successor to, and is evolved from, legislation introduced in the Congress in recent years, notably S. 1442 and H.R. 5491, each of which was introduced during the 97th

Congress. The provisions of the FSMA are derived not only from these prior bills, but from the three days of comprehensive hearings on food safety law and policy held before the Senate Labor and Human Resources Committee on June 8-10, 1983.

At those hearings, testimony was received from witnesses representing diverse interests and perspectives, including those of the Food and Drug Administration ("FDA") and the U.S. Department of Agriculture ("USDA"), prestigious scientists, and industry and consumer groups. It was the clear consensus of those witnesses that the current law is basically sound and has worked well to ensure that the American food supply is safe. Many of those witnesses also testified, however, that current food safety law does not conform to current scientific and technological knowledge and capabilities, does not permit the FDA and USDA to consider all pertinent scientific information in making food safety regulatory decisions and does not give FDA and USDA sufficient flexibility to develop appropriate regulatory responses to all food safety issues which arise. The FSMA addresses these problems while also retaining the basic structure and requirements of the current laws, laws which have ensured that the American food supply is the safest in the world.

The FSMA consists of three titles. Title I contains amendments to several specific provisions of the FDCA relating to food additives, color additives, new animal drugs and contaminants of food, as well as provisions which would affect food safety decisions generally. Title II contains conforming amendments to the FMI Act, PPI Act and EPA Act, each of which is enforced by the USDA, and several changes to those laws intended to further ensure consistency between the policies and requirements imposed by FDA and USDA. Title III specifies the effective date of the FSMA. Each of the changes to current law which would be made by the FSMA are described below.

##### II. DEFINITION OF "SAFE"

One of the central concepts of the FDCA—of a concept which is not altered by the FSMA—is the requirement that substances used to produce, process, package, hold, or otherwise affect food (i.e., substances defined under the law as food additives, color additives, pesticide residues, and residues of new animal drugs) be demonstrated to be "safe" before use. A manufacturer or food processor who wants to use a substance in food is now required to provide to FDA all of the scientific and technical data needed to prove that the substance is safe. This requirement is not altered by the FSMA.

These requirements have their origins in the Food Additive Amendment of 1958 (the food additive provisions of the FDCA have not been revised since then) and have been extended to color additives, pesticide residues and residues of new animal drugs. Although the Food Additives Amendment of 1958 required, for the first time, that "food additives," as defined in section 201(s) of the FDCA, 21 U.S.C. § 321(s), be shown to be "safe" the Amendment did not define the term. The legislative history of the Amendment, however, reflects the judgment of the Congress in 1958 that "safe" required the proponent of use of an additive to demonstrate, by competent scientific evidence, to a "reasonable certainty," that "no harm" would occur from use of the additive. This "definition" has been incorporated in FDA regulations and has guided food safety decisions by FDA for twenty-five years.

It is evident from the legislative history of the 1958 Amendment (and subsequently amendments related to other types of food constituents) that a policy of "zero risk" was not intended by the Congress; indeed, such a policy would be difficult, if not impossible, to implement. In recent years, science has provided ever more exquisite analytical techniques and increasingly sophisticated techniques to identify, assess, and quantify potential risks. FDA has attempted to adapt its regulatory policies to these changes in scientific capability. Current scientific capability enables us to identify potential risks throughout the food supply (e.g., we can detect substances in food at parts per trillion). Scientific capability also enables us to determine the upper boundary of these potential risks and thus to identify those which may pose public health concerns. The absence of a definition of "safe" has made it increasingly difficult for FDA to apply consistently appropriate regulatory policies which distinguish between trivial risks and those which warrant concern. The FSMA would add a definition of "safe" to the FDCA, and, in so doing, ensure that the public health is protected from those risks in food which are not demonstrated to be trivial.

Under section 101 of the FSMA, section 201(u) of the FDCA would be amended to define the term "safe"—as it applies to food additives, color additives, residues of new animal drugs, and pesticide residues—as "a reasonable certainty that the risks of a substance under the intended conditions of use are negligible." This definition would accomplish several objectives.

First, it would continue the requirement that the manufacturer or user of a food constituent, such as a food additive, demonstrate safety to a "reasonable certainty." This feature of the new definition will ensure that the scientific evidence needed to demonstrate safety is comprehensive and reliable and resolves the issues pertinent to the safety decision. The "reasonable certainty" language is consistent with the approach of current law, but by making the phrase a part of the FDCA (as opposed to its presence in the legislative history) its continued viability as part of the concept of safety will be preserved.

Second, the benchmark for distinguishing substances shown to be "safe" and those that have not, would be clarified. Under the definition, a substance determined to present no more than "negligible" risks would be safe. The inclusion of a standard of "negligible" risk would ensure that the public health is fully protected; trivial risks, that is, those that do not endanger the public health, would not be a basis for prohibiting the use of substances in food. With the development of techniques for quantitative risk assessment and the greatly enhanced information on, and understanding of, the toxicology of food constituents, distinctions can reasonably and appropriately be made between the risks, if any, presented by substances in food. The definition would help FDA to better adapt its regulatory policies to distinguish between those substances which may present public health concerns or otherwise warrant attention and those which do not.

The definition would thus reaffirm the requirement for persuasive proof of the safety of food constituents, distinguish between negligible risks and those of public health concern, and help to provide for food safety regulatory decisions that embody consideration of, and reliance on, current scientific

and technological information and capabilities.

### III. PHASEOUT AUTHORITY

The FDC Act does not currently authorize the FDA to provide for the gradual elimination of a substance from food when such substance has been determined not to satisfy the substantive criteria of the FDC Act for continued use. The lack of this authority and the potentially undesirable consequences because of its absence, were illustrated several years ago when a study appeared to implicate nitrites as animal carcinogens. Nitrites are widely used to preserve meat and poultry products. Precipitous action to eliminate them, if the evidence had demonstrated a risk which required such action (ultimately the study in question was determined not to implicate nitrites directly in cancer causation), would have created unacceptable risks (there being no practicable substitutes for nitrites to protect certain foods from the growth and development of botulism) and adversely affected the costs related to, and the availability of, a major component of the food supply.

When it became apparent that a gradual elimination or phaseout of nitrites (or any other substance in use) was not permitted under current law, the Administration proposed legislation to authorize the phaseout. That specific phaseout legislation became unnecessary, but the episode did demonstrate the need generally to provide for the orderly removal of substances from food, under certain circumstances, when a decision is made to ban further use. The phaseout provision in the FSMA deals only with the implementation of a decision to eliminate gradually a substance from food; the criteria under the FDC Act for determining whether a substance may remain in further use indefinitely is not affected by the provision.

Under section 102 of the FSMA, section 306 of the FDC Act, would be amended by redesignating the current provisions as paragraph (a) and by adding a new paragraph (b). The amendment to section 306 would authorize FDA, by regulation, to permit the continued use of a substance (a food additive or color additive, a substance with a prior sanction or one generally recognized as safe, and a new animal drug) which it had determined no longer met the criteria for indefinite continued use, for a period up to five years. A phaseout would be permitted under this section only if the FDA decided that "no unreasonable risk to the public health" would result from continued use of the substance during the phaseout period. A phaseout would be permitted only as long as a practicable substitute for the substance in question was not available.

The section would authorize the FDA, as appropriate, to reduce the amount of a substance allowed in food, the foods in which a substance may be used, or to provide for labeling or packaging requirements during the phaseout period. In addition, because five years may not, in some instances, be adequate to develop and obtain approval of a practicable substitute (or substitutes) for the substance in question, the phaseout could be extended for up to an additional five years. An extension would only be permitted, however, if the FDA decided that diligent efforts were being made to develop substitutes and if a continuation of the phaseout period were consistent with requirements of the section.

In deciding on the length and conditions of a phaseout, the section directs the FDA

to consider, for each use of a substance, the risks associated with using the substance and the risks associated with limiting or prohibiting its use. Also, the FDA would be required to consider the effects of the use of the substance on such factors as the nutritional value of food, the cost and availability of food, and the use of the substance for dietary management and other health-related purposes. In short, decisions on the length and conditions of a phaseout would be based on an evaluation of numerous factors and would reflect the judgment of the Agency as to how best to implement a decision to ban a substance. As is the case under the FDA Act in general, the Agency's judgment about the risks of continued use of a substance would be an important element of any phaseout decision.

Finally, the FDA would be permitted to provide for the continued use of a substance subject to a phaseout regulation even after a practicable substitute is available only if it is determined by FDA that the public health is enhanced by the simultaneous use of more than one substance for a particular use or uses (e.g., FDA might conclude that the use of lower levels of two or more substances better protects the public health than reliance on a single substance).

### IV. DELANEY CLAUSE

An important feature of the Food Additives Amendment of 1958 is the inclusion of a special provision for additives shown to induce cancer in laboratory animals or in man. This provision—the Delaney Clause—was initially applied to food additives and subsequently extended to color additives and residues of new animal drugs. (The FDA Act thus contains three Delaney Clauses).

Unlike the concept of general safety embodied in the 1958 Amendments—that is, the "zero risk" is not the standard—the Delaney Clauses do adopt a policy of zero risk with respect to substances to which they apply. The "zero risk" approach of the Delaney Clause was based on the state of knowledge about cancer causation, risk assessment, toxicology, and analytical chemistry in the late 1950's. It was generally believed then that few substances would be shown to induce cancer in laboratory animals, that essentially all substances shown to induce cancer in laboratory animals presented significant risks of cancer to humans, and that all animal carcinogens behaved in the same way. Also, in 1958, the tools to distinguish cancer-causing substances on the basis of their risks under the intended conditions of human use did not exist. Finally, analytical techniques could only detect substances in the parts per million range, which meant that low levels of animal carcinogens in food went undetected.

In the twenty-five years since the Delaney Clause was first enacted, dramatic changes have occurred with respect to the scientific and technological premises underlying the provision. It is now known, for example, that of the numerous substances shown to induce cancer in laboratory animals (in part because of more and better testing techniques) some act as direct carcinogens, while others act indirectly or through secondary means. It is also known that the risks to humans from substances shown to induce cancer in animals vary greatly, depending on the potency of the substance, its mechanism of action, the level of exposure, and numerous other factors. Techniques of quantitative risk assessment have been refined to aid in distinguishing substances on the basis of risk to humans under the in-

tended conditions of use. The need to distinguish among these substances on the basis of risk is further demonstrated by the sensitivity of analytical methods, which detect trace amounts of cancer-causing substances throughout the food supply.

The scientific capability now exists to distinguish between those substances which present risks of public health significance and those which, because the risk is so small or remote, do not. Current law does not, however, permit these distinctions to be made as a matter of regulatory policy. Regulatory policy under a revised Delaney Clause can reflect current scientific capabilities while continuing to ensure that the public health is protected.

Under section 103 of the FSMA, each of the three Delaney Clauses in the FDC Act would be amended. The amendments would not alter the basic concept of the Clauses. The amendments would, however, provide for judgments about the risk of the substance to humans under the intended conditions of use to be a factor in regulatory decisionmaking.

Under the revised Delaney Clauses, a substance would not be required to be banned (or could be approved) if the proponent of use demonstrated on the basis of credible experimental evidence, that the risks to humans under the intended conditions of use were negligible. This standard would be consistent with current science and with the definition of safe set forth in section 101 of the FSMA, while also retaining the special provisions of current law for dealing with carcinogenic substances.

In deciding whether a substance shown to induce cancer presented only a negligible risk of cancer, the FDA would consider the evidence (generally based on studies in laboratory animals) bearing on whether the substance induces cancer, as well as other "scientifically adequate experimental evidence" on such matters as the mechanism of action and metabolism of the substance. When FDA determines that it is feasible and appropriate, quantitative risk assessments could be used to aid in evaluating the safety of substances under the Delaney Clause. The revised Delaney Clause does not specify that any particular weight be given to any single component of the scientific inquiry, but does provide for all pertinent scientific evidence to be considered and for the regulatory decision ultimately to be based on the magnitude of the risk, if any, to humans.

The Delaney Clauses for food and color additives (in section 409 and 706 of the FDC Act) would also be revised to confirm that the Clause, if it applies at all, applies to the "additive as a whole" and not to the constituent parts of the additive, such as trace amounts of reaction products and chemical impurities. The safety of the constituents would continue to be determined under the general safety requirement for additives. This clarification of the scope of the Delaney Clause would ensure that additives are not banned because of the presence of trace carcinogenic constituents unless those constituents present greater than negligible risks.

### VI. CONSIDERATION OF HEALTH BENEFITS

Under section 409 of the FDC Act, 21 U.S.C. § 348, regulatory decisions on food additives are based primarily on scientific judgments about the risks, if any, presented by the additive. Although food additives are required to be shown to be functional, that is, to achieve the technical or physical effect for which their use is intended, the



FDC Act does not authorize an inquiry into the "benefits" of the additive. The Congress squarely addressed this issue in 1958, and decided then not to interject into the regulatory process, a consideration better left, in most instances, to the marketplace. The criteria for food additive decisionmaking has thus focused on the effects of the additive on the public health.

There exists a circumstance, however, in which current law excludes from consideration matters pertinent to the public health. This circumstance, illustrated by such diverse substances as the antioxidant BHA, the sweetener saccharin, and the preservative nitrites, occurs when an additive with a substantial history of use and no practicable substitute, can no longer be permitted on the basis of a safety assessment alone. Under current law, FDA could not, in such a circumstance, consider the health-related benefits of the additive before deciding what action to take. It is thus possible under current law, for FDA to be required to ban a long-used and unique additive even though, on balance, the public health would be better served by continued use of the additive.

Section 104 of the FSMA would correct this deficiency in current law by authorizing FDA to consider the benefits to human health from a long-used additive with no practicable substitute before prohibiting its use on the basis of the risks to human health presented by the additive. The provision would permit continued use of an additive if, after considering such benefits to human health as the effects of its use on the "nutritional value and availability of food," "uses for dietary management, and other health-related purposes," the risks to human health were found to be acceptable.

The authority to consider benefits under section 104 of the FSMA is appropriately limited in several ways. First, the provision authorizes the consideration of health-related benefits only and thereby retains the twenty-five year old concept of food additive regulation that places protection of the public health at the center of FDA's responsibilities. The provision authorizes consideration of health benefits from a broad perspective, but does not provide for the consideration under any circumstances of non-health-related benefits.

Second, benefits would be considered only for food additives (and not for color additives), and then only for those food additives which have a substantial history of use and for which there are no practicable substitutes. This limitation will help to ensure that the consideration of benefits will occur only in those situations in which there is likely to be adequate evidence bearing on the benefits, and not simply speculation about them.

Third, as is the case with establishing the safety of a food additive, the burden to demonstrate that the risks to human health are acceptable on the account of the benefits to human health would rest with the proponent of use of the additive. The FDA's role would continue to be to evaluate the evidence provided by others consistent with the criteria set forth in the FDC Act. Evidence to demonstrate benefits would be required to meet the same standards for evidence of risk to health.

#### VII. SCIENTIFIC PEER REVIEW

It is widely acknowledged that the reliability, credibility, and integrity of the scientific process depends, in large measure, on the careful use of scientific peer review. Consideration of scientific findings, evi-

dence, and reports by other scientists with appropriate expertise, helps to ensure that decisions (regulatory or others), are based on sound, reproducible, valid, and reliable studies. The essence of a sound system for scientific peer review is the reliance on independent and qualified scientists to undertake a careful and comprehensive review of all data pertinent to a scientific proposition or conclusion.

Scientific peer review is an important component of food safety regulation. It helps to ensure that decisions are based on a scientifically sound basis and thereby to maintain public confidence in the appropriateness of the regulatory system. FDA has resorted to peer review on occasion in recent years for advice and assistance on significant scientific issues related to food safety (and other aspects of its regulatory responsibilities). The resort to scientific peer review by FDA, however, has not been consistent or predictable.

Section 105 of the FSMA would direct the FDA, within 180 days of enactment, to provide by regulation for a system of independent scientific peer review on "substantial scientific" issues related to food safety. The regulations would be required to embody the essential features of a workable independent scientific peer review provision but would leave the details of the system to be determined by the FDA, after it received comments from the public on its proposed system. The peer review system mandated under section 105 does not, of course, prevent FDA from seeking advice on its own initiative from scientists employed by other agencies of the Federal Government.

Under Section 105, the FDA would be required to obtain advice from qualified scientists who are not employed by the Federal Government whenever a substantial scientific issue arises, the resolution of which, in the judgment of the FDA, would be "materially facilitated" by independent scientific peer review. To assist the committee of experts in reaching independent conclusions, the provision provides for the appointment of a scientifically-qualified staff of persons who, like the committee members, are not full-time employees of the Federal Government.

Peer review would be required only when FDA finds that because, for example, the issues are unique, the scientific findings are controversial, or conflicting data are presented, the resolution of the scientific issues underlying a regulatory decision and, therefore, the credibility of the regulatory decision itself, would be enhanced by independent scientific peer review.

Section 105 provides for the receipt of advice from scientific experts. It does not change the fact that the ultimate responsibility for the regulatory decision rests with the FDA.

#### VIII. INDIRECT ADDITIVES

Among the substances which are defined as "food additives" under section 201(s) of the FDC Act, are those which, because of their use in food production, packaging or holding, become or may reasonably be expected to become a part of food. This category of additives is known as "indirect additives" because, although they are used in contact with food, they are not deliberately or "directly" added to it.

Beginning in 1958 and continuing until today, FDA has differentiated in its regulatory policy between direct and indirect additives. Unlike most direct additives, the indirects are not advertently added to food and if present there at all (through food contact

surfaces) are present at low levels, sometimes so low as to defy detection by even the most sophisticated analytical techniques available.

A recurring difficulty in the regulation of indirect additives has been the determination of whether a substance is subject to food additive regulation at all (i.e., is there a reasonable expectation that a substance, such as a component of a plastic container, will become a component of food). It is important that this question be resolved so that scarce FDA resources are not allocated to substances which are not likely to become part of food and, if they do, only at levels of no public health significance, and to provide predictability and certainty for manufacturers and users of food contact materials.

Section 106 of the FSMA would add a new section 414 to the FDC Act to require, within two years of enactment, that FDA establish, by regulation, standards to determine under what circumstances the use of a substance in a food contact situation (i.e., an indirect additive) meets the food additive definition in section 201(s) of the FDC Act. In issuing these regulations, the FDA would be directed to consider, among other relevant factors, the extent of human exposure to a substance under the intended conditions of use and the toxicological characteristics of the substance. The regulations would then clarify when there is not a "reasonable expectation" that a substance will become a part of food within the meaning of section 201(s) of the FDC Act.

#### IX. SECTION 406 PROCEDURES

Section 107 of the FSMA would provide for the adoption of regulations under section 406 of the FDC Act by informal rulemaking, rather than the formal rulemaking now required. This amendment would provide for the adoption of tolerances for food contaminants, for example, through less cumbersome and time-consuming regulatory procedures. Because the current procedures for tolerances under section 406 are so cumbersome, FDA has rarely relied formally on the section, opting instead for the informal approach of "action levels." With less involved procedures required under Section 406, it is expected that FDA would no longer need to rely on action levels to the extent that it has and would, instead, use section 406 as it was intended to be used.

#### X. CONFORMING CHANGES TO THE FMI, PPI, AND EPI ACTS

Title II of the FSMA would make several changes to the FMI, PPI and EPI Acts, each of which is enforced by the USDA.

First, section 201 of the FSMA would amend each of the three agricultural product laws to provide that a meat, poultry or egg product is adulterated because it contains an added poisonous or added deleterious substance when the presence of the substance renders the food "unsafe within the meaning of section 406" of the FDC Act. This amendment would thereby substitute the standard of section 406 for the current "unfit for human food" criterion. In so doing, the amendment would permit USDA to consider the factors set forth in section 406 for determining when an added poisonous or added deleterious substance adulterates a meat, poultry or egg product and make its regulatory policy consistent with that of FDA. The amendment would also authorize USDA to issue regulations under section 406 for added poisonous or added deleterious substances in meat, poultry and egg products, but, to avoid duplication, only

if FDA has not already done so. The amendment does not affect FDA's current authority to issue regulations under section 406.

Second, section 201(b) of the FSMA would correct a technical defect in the FMI, PPI and EPI Acts. Unlike the FDC Act, the three agricultural laws do not provide that the use of a substance in a meat, poultry, or egg product in accordance with a regulation issued under sections 406, 408, 409, or 706 of the FDC Act, does not result in the adulteration of the product under one of the general adulteration provisions of those laws. Without this amendment, it is possible for a meat, poultry, or egg product to be adulterated because of the presence of a food contaminant, pesticide residue, food additive, or color additive even though the use of the substance conforms to a regulation providing for its use.

Third, sections 202, 203 and 204 amend the PPI, FMI and EPI respectively, to authorize USDA to phaseout the use of substances in meat, poultry and egg products for which it has primary responsibility (e.g., a substance for which it has issued a prior sanction under section 201(s) of the FDC Act). Phaseout regulations for such substances would be issued by USDA in accordance with the phaseout provision in section 306(b) of the FDC Act.

Finally, sections 202, 203 and 204 of the FSMA would provide for USDA to adopt, within 180 days of enactment, regulations for the establishment of an independent scientific peer review system. This provision is identical to that for FDA and a consistent approach to this subject between the two agencies is expected.

#### XI. EFFECTIVE DATE

Title III of the FSMA provides that its provisions take effect upon enactment.●

### THE UNITED CHRISTIAN ASSEMBLY—THE FIRST YEAR'S MILESTONE

#### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. TOWNS. Mr. Speaker, I want to recognize the achievements of one of my local churches as they celebrate their first anniversary. The United Christian Assembly pastored by Rev. Charles Levi Martin will celebrate its first anniversary on Sunday, October 16. Despite the short history of the church congregation, the United Christian Assembly has become very active in the Brooklyn community.

The ministry of the church is involved in hospital visitation; job training programs, and a series of educational programs for children and adults. Reverend Martin also plays an active role in local ecumenical affairs as the vice president of the Ministers' Alliance of Staten Island. The assembly is looking forward to the purchase of their own building to further expand their community and social justice activities.

The black church has always played an important role in the black community. The United Christian Assembly can be expected to make a significant

contribution to the Brooklyn community. I wish to congratulate this church on their significant growth in only a year's time and I wish them much success in the future.●

### IN RECOGNITION OF NATIONAL HOUSING WEEK, 1983

#### HON. LES AU COIN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. Au COIN. Mr. Speaker, as we observe National Housing Week (October 2 to 9, 1983), it is important that we reaffirm our strong national commitment to housing and recognize the economic and social benefits of a well-housed Nation.

Time and time again, we have seen housing lead the way to economic recovery with a tremendous ripple effect, creating jobs and stimulating activity throughout the economy. The good economic news we enjoy today is no exception.

If builders realize their expectations of starting at least 400,000 more units during 1983 than they did in 1982, housing will be responsible for creating about 700,000 new jobs, \$13 billion in wages, and \$6 billion in additional tax revenues for Federal, State, and local governments.

But the enormous value of housing does not end with good economic indicators. It extends to the average man and woman in this country and helps determine how a family sees itself and its function in the community.

Homeownership gives the average man and woman in this country the opportunity to become a part of the capitalist system. It has always been one of the few ways a family can leverage personal wealth and get ahead.

When housing prospers, America prospers. It is as simple as that. Yet, we continue to hear distressing signals about interest rates, the precipitous decline in homeownership and affordability.

High mortgage interest rates over the last several years have imposed tremendous costs on the home buyer. Recently, the U.S. League of Savings and Institutions reported that the affordability gap between what a family can afford and median home prices is more than \$16,000. And, now, with home loan rates moving up to 14 percent, that gap threatens to widen further before the year is out.

It is estimated that by the end of coming decade, 10 American families who otherwise would be homeowners—by all standard tests of income, education and social status—will be renters.

The fact that we are seeing a long-term downward trend in the rate of home ownership country has serious long-range consequences which we would be foolhardy to ignore.

Attitude is key. Housing as a top national priority has been reduced to footnotes by changes in the economy and shifting Government policies.

We have heard from the Martin Feldstein's of the world that housing is soaking up too much productive capital. There are Members in Congress, on both sides of the aisle, who feel that this country has done its job on home ownership.

That kind of thinking must be stopped in its tracks. We need to get behind the concept of individual housing accounts to encourage young Americans to save for a downpayment on a home. We need an extension of the mortgage revenue bond program and action on other housing-related pieces of legislation.

But most important to housing and home buyers is the budget deficit crisis we face. That is an overriding issue that we must put on a fast track if we want to avoid another round of killer high interest rates.

Less than 2 weeks ago, I welcomed the leadership of the National Association of Home Builders to my State of Oregon for their fall board meeting. As I listed to their concerns, it became clear that the magnitude of the deficit was No. 1 on their agenda. More than anything else, the prospects of continued massive deficits make the housing and financial markets nervous about the future of the recovery.

I have introduced a resolution to establish a bipartisan commission on the deficit. Similar to the Presidential Commission formed to break the deadlock on social security reform, a National Commission on Federal Budget Reductions would forge a consensus to help break the legislative gridlock on the budget and allow Congress to begin making substantial reductions in the deficit.

I am also a cosponsor of a proposal by Budget Committee Chairman JIM JONES calling for an economic summit of the President, the executive branch and Congress on the budget deficit crisis.

I strongly support these efforts because I believe we have to get off our high partisan political horses and move on a united front to reduce the deficit. That is certainly the most productive thing we can do to recognize National Housing Week and all it stands for.

A future without housing as a national priority does not merely spell doom for an important labor intensive industry, but it also spells doom for the American dream. If the day ever comes when Mr. and Mrs. America no longer have the ability to buy a home and capture a piece of the rock, we change the character of our society and with that, attitudes about our economic system.



So as we approach the task of what we must do in the balance of this Congress to deal with a number of very real problems, I urge my colleagues to keep in mind the integral role housing plays in the well-being of our Nation and act to revitalize our Nation's historical commitment to housing and homeownership.●

**THE RETIREMENT OF ADM.  
FRANCES T. SHEA, NC, USN**

**HON. EDWARD P. BOLAND**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. BOLAND. Mr. Speaker, on October 1, 1983, Rear Adm. Frances T. Shea completed a distinguished 32-year career in the U.S. Navy.

Since her promotion to the rank of rear admiral in July 1979, Admiral Shea has served as Director of the Navy Nurse Corps, Commanding Officer of the Naval Health Science Education and Training Command, and Deputy Commander for Personnel Management at the Naval Medical Command. Admiral Shea was the fourth woman to attain flag rank in the U.S. Navy and the 14th Director of the Navy Nurse Corps. In that capacity she established the policies by which to train and administer the 2,800 officers serving as nursing professionals in our Navy.

Mr. Speaker, Admiral Shea grew up in Chicopee, Mass., a city in my congressional district. Although her educational pursuits and Navy duties took her far from Chicopee, her career was followed with interest in her hometown and its environs. Her commitment to excellence in her profession and the success which her abilities have brought her, have not gone unnoticed in western Massachusetts. We have been proud of her willingness to serve her country, proud of the honors which the Navy bestowed upon her, and proud that she came from our midst. As Admiral Shea moves on to new challenges I want her to know how grateful her fellow citizens are for everything she has done for us.●

**TRIBUTE TO JOAN WOEHRMANN**

**HON. DAVID DREIER**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. DREIER of California. Mr. Speaker, I would like to take this opportunity to draw needed attention to our Nation's volunteers, the people who play such a vital role in our society, yet too often receive no notice, no compliments, and no thanks.

An individual in my district, Joan Woehrmann, is one of the many who

deserve notice. She stands as a shining example of how Americans, filled with the spirit of voluntarism, play an essential role in promoting the welfare of our people.

As is clear from the disappointments of past decades, no government—no matter how generous and well-meaning—has the power to solve every local problem or provide for every human need. Instead, like President Reagan, I embrace the idea that it is private groups and individuals like Mrs. Woehrmann who must take the lead in helping their neighbors and communities.

Mrs. Woehrmann has assumed this role. She has invested her time and talents into her community as a member of the guilds of both Whittier and Presbyterian Intercommunity Hospitals, as president of the Whittier Chamber of Commerce, as vice president of the Whittier Boys and Girls Club and as a volunteer in countless other civic activities.

In April, the Whittier Boys and Girls Club will hold a testimonial dinner for Mrs. Woehrmann in gratitude for the spirit of voluntarism she has brought to that community. I congratulate the club for its tribute to Mrs. Woehrmann. A volunteer's efforts should never be ignored nor taken for granted. Whenever they appear, they should be recognized and praised.

And so, to that end, I call on my colleagues to join the Whittier Boys and Girls Club, the citizens of California's 33d District and me in saluting the volunteer spirit expressed in the life of Joan Woehrmann.●

**SONNY MONTGOMERY PRESENTED HARRY S. TRUMAN  
AWARD BY NATIONAL GUARD  
ASSOCIATION**

**HON. RICHARD RAY**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. RAY. Mr. Speaker, last night at the 105th General Conference of the National Guard Association in Indianapolis, our colleague, Hon. G. V. "Sonny" MONTGOMERY, was presented the Harry S. Truman Award. The Truman Award is the highest award given by the Guard Association and is presented for sustained exceptional contributions, at the national level, to the defense and security of the United States.

Present at the awards ceremony to honor our friend and colleague were a number of Members other than myself, including Hon. IKE SKELTON, Hon. EARL HUTTO, Hon. MARVIN LEATH, Hon. FRANK McCLOSKEY, Hon. MARJORIE S. HOLT, Hon. ELWOOD H. (BUD) HILLIS, and Hon. BOB STUMP. I speak

for all these Members, as well as Hon. DAN DANIEL, in stating that the Guard Association could not have picked a more worthy recipient of this award.

There are few, if any Members of Congress, who have been as active a supporter of our national security in general, and in particular the Guard and Reserve, than our colleague from Mississippi. His knowledge, involvement, and interest in the Guard and Reserve have made him the leader in Congress in both providing recognition of the role played by the Guard and Reserve, as well as in steps to improve the capabilities of the Reserve components.

His list of accomplishments in this area and in many other areas in almost too long to begin to address. In particular, though, he should be recognized for his initiation of an educational assistance program in 1977 to improve recruiting and overall quality in the Guard and Reserve. His interest in educational incentives to improve the military preceded understanding of the importance of such a program in both the administration and the Congress. His interest has continued in his strong advocacy of a new GI bill educational program for the military. He has certainly been instrumental in recent congressional initiatives to insure that modern equipment is provided our Guard and Reserve forces. He recognized early what the Congress as a whole has now begun to advocate—that Reserve forces should be more fully utilized in our Nation's defense because they can provide effective military capability at a lower cost.

SONNY's achievements have not all been in the area of Active and Reserve military personnel. As chairman of the Committee on Veterans' Affairs, he has been an ardent supporter of the welfare of this Nation's veterans and has been particularly active in assisting the veterans of the Vietnam experience.

Because SONNY is one of the most well-liked Members of the House, most Members are probably familiar with his military background, but it should be outlined for the RECORD as it is quite impressive. He served this Nation in both World War II and the Korean conflict. He has served 34 years as a member of the Mississippi National Guard and was retired only recently, in 1980, as a brigadier general.

It is an honor for me to have the opportunity to make these comments about my very distinguished colleague, the gentleman from Mississippi. He is a great American and a true friend of those who serve and have served in this Nation's military. The National Guard Association could not have made a better choice for its most distinguished award.●

## TERENCE CARDINAL COOKE

## HON. BILL GREEN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. GREEN. Mr. Speaker, I join my colleagues, the citizens of New York, the Nation, and the World in mourning the passing of Terence Cardinal Cooke, the Archbishop of New York.

Cardinal Cooke's passing brings sadness not only to New Yorkers—Catholics, Protestants, and Jews alike but to the entire country as the people have lost a moral leader and a man who demonstrated great courage in facing life and death.

Cardinal Cooke was installed as Archbishop on April 4, 1968. From the beginning he encouraged those he met to approach life with a "spirit of love." By his own spirit, full of love and compassion, he became respected by those with whom he came in contact. He rose from the sidewalks of the city to become a prince of the Church, but he never forgot the poor and the humble.

He served also as the Military Vicar for Roman Catholics in the Nation's Armed Forces, both domestic and abroad.

I had the distinct honor of meeting Cardinal Cooke many times over the years, and I was always impressed by his reaching out beyond secular lines to offer love and compassion.

The cardinal has completed his journey on this earth; now we must try to follow his path of peace that he walked.●

## TRIBUTE TO RICHARD O. BRUNVAND

## HON. CARL D. PURSELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. PURSELL. Mr. Speaker, Richard O. Brunvand, an outstanding Ann Arbor and Michigan community leader was recognized with a feature article in the Ann Arbor News on October 3d. I bring this article to the attention of the U.S. Congress to demonstrate how one individual in our free enterprise system can provide leadership in his community. As a personal friend, I believe Richard Brunvand is an outstanding American.

The following article was printed in the Ann Arbor News as written by Julie Wiernik on Monday, October 3, 1983.

RICHARD BRUNVAND—HE CAN'T SAY NO TO COMMITMENT

(By Julie Wiernik)

Richard O. Brunvand, the man who brings you the Ann Arbor Street Art Fair every year, might have been a radio personality.

But a twist in his career path took him in other directions, from radio reporting to ad-

vertising. Along the way, the 46-year-old Brunvand also became a business owner, a labor negotiator, a Chamber of Commerce executive, a Whitmore Lake school board president and a champion skier who competed in Norway.

If pressed, he may even tell you that arthrogryposis, a rare birth defect which restricts the growth of legs and arms, didn't hinder his career. But even though his affliction is mild, Brunvand has been through surgery 13 times; as a youngster, he spent many miserable summers in the hospital.

Brunvand remembers his first job, though, as one of his best. During his college years at Michigan State University, he reported early morning farm news for WKAR in East Lansing. It seems unimportant now, but Brunvand remembers when the top story of the morning was an interview with a dairy farmer who invented an automated milking system called the "Milk-veyor."

"It didn't have a lot of prestige, but farm broadcasting was a great experience for me," Brunvand recalled. "It made me get up early every morning and it was on the fourth floor."

The location was important. Hauling radio equipment up and down four flights of stairs was more than a nuisance to Brunvand, who walks with the help of leg braces and crutches.

In 1961, when Brunvand had just graduated from Michigan State University with a degree in communications, a prospective employer asked him, "I understand you walk with braces and crutches. Is that going to hinder your work?"

Brunvand simply answered, "It hasn't so far."

Brunvand learned his determined attitude from parents who taught him as he was growing up in Lansing to be independent despite arthrogryposis. His wife Lois tells a story about his mother's firm hand:

"One day when Dick was still learning to walk with crutches, he refused to go to school. He couldn't climb up on a bus, so a taxi picked him up for school every morning. His mother went to his room and grabbed him, his crutches and his braces and threw him into the taxi. I don't even know if he got dressed that morning."

Brunvand's broadcast career took him to radio stations in Sault Ste. Marie, Lansing, Kalamazoo and, finally, Ann Arbor. But in 1968, after two years as news director for WPAG here, Brunvand burned out in the radio business and took a job as manager of business and civic affairs for the Ann Arbor Area Chamber of Commerce.

"I was married and had my first child by then and I was working incredibly long hours," he said of that switch. "Radio wasn't what I wanted to do any more, so I walked down the street and applied for a job at the Chamber of Commerce."

Brunvand knew his wife long before he ever thought about courting her. She was the younger sister of his college housemates and seven years his junior. By the time his broadcast career had taken him to Kalamazoo, she was a student at MSU.

On Valentine's Day in 1965, she was in her dormitory doing laundry when she was surprised by a delivery of flowers. She and Brunvand were married the same year.

"He tried to propose to me in a boat," she recalled of their courtship. Thinking it wasn't very romantic to discuss marriage over the hum of an outboard motor, she said, "Ask me later."

Brunvand, even with crutches and braces, is an athlete and a competitor. He's an avid

boater, and a few years ago his father persuaded him to take up skiing. He skis with Norwegian sled called a "pulk," and short ski poles. In 1980, he took first place in a Traverse City competition and went on to world class races in Norway.

"It turned out to be the most exciting experience I ever had," said Brunvand. "I had sat for years in a skiing family, watching them all ski. Now I have skied with my kids."

Brunvand found his way into the advertising business the same way he got started in skiing. He was talked into it. About 13 years ago, a friend from church convinced him to join Walaby Inc., a local advertising and public relations firm. When his partner left the business in 1973, Brunvand became sole owner and president.

"Knowing nothing about business. I said: 'OK. What the heck, I'll buy the agency,'" Brunvand recalled.

The company, now called Brunvand Associates Inc., organizes and promotes the Ann Arbor Street Art Fair every summer. Another client is the Ann Arbor Transportation Authority. The blue and burgundy stripes on city buses were designed by Brunvand's firm in 1981.

Under the direction of the man who claims to have known nothing about business, the agency has grown to a staff of 10. Accounts include some international clients, such as JOBO Fototechnic, a German manufacturer of photographic equipment. The German firm recently hired Brunvand Associates to coordinate advertising and promotion for its first venture into the U.S. market.

Despite his success in the image business of advertising, Brunvand is not at all flamboyant. He's more aptly described by associates as "a nice guy" and a "hard worker." It he wrote his own profile, in the style of a Dewar's scotch ad, it might read:

Favorite movie: "The Sound of Music."

Favorite meal: Rare steak followed by butter pecan ice cream.

Favorite reading: Time Magazine.

In addition to commercial advertising accounts, another large chunk of Brunvand's business is the work he does for the Washtenaw Contractors Association. He handles public relations, labor negotiations, apprentice programs and safety training for the 50-member group of local building contractors.

Since 1972, Brunvand has been chief negotiator for the contractors, a job he is said to handle with skill. Even adversaries at the bargaining table admire his style.

"He's a very professional negotiator who doesn't alienate or antagonize the other side," said one union leader who sat across from Brunvand at the bargaining table this summer.

"We don't always see eye to eye, but I have a lot of respect for him," said John Martin, financial agent and business manager for Carpenters' Union Local 512.

Brunvand is probably better known for his civic commitments than his advertising accounts. The man belongs to so many civic organizations that, during a recent interview, he used a resume to help himself remember them:

1966: County chairman for the March of Dimes.

1970: Elected chairman of CAP Inc., employer of the handicapped.

1974: Chairman of affirmative action for Washtenaw County Construction Committee.

1970: Publicity chairman Ann Arbor Area United Way.



1979: Elected president Ann Arbor Kiwanis Club.

1980: Elected president, Whitmore Lake Board of Education.

1982: Appointed member the Washtenaw and Livingston counties' Private Industry Council.

Brunvand allows that he has a hard time saying "no" when asked to lend time to community affairs. He said he sometimes tires of long days which begin at 5 every morning. These days, he feels overwhelmed with outside commitments that leave little time for cultivating new business clients.

The overloaded schedule also cut into Brunvand's ski vacations during the past couple of years, but it hasn't dashed his competitive streak that is part of his personality.

He thinks bike racing may be the newest challenge. All he needs is time and a 10-speed cycle operated by a hand crank.●

## THE UNITED STATES AND ISRAEL

### HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. HUGHES. Mr. Speaker, recent events in Israel have placed one more spotlight on the Middle East. With the resignation of Israeli Prime Minister Menachem Begin and Yitzhak Shamir's ascension to the leadership position, this troubled part of the world now faces another adjustment.

I feel it is important during this time for us to remember the common goals and values our two Nations share. In its 35 years of existence, Israel has grown to be a nation of democratic and humanitarian values. It is a nation in which people of different religions, ethnic origins, and social traditions can live together in harmony. Israel has opened its arms to welcome hundreds of thousands of newcomers and given them a chance to begin their lives again in a new homeland. These are values and traditions that we as U.S. citizens cherish and respect.

The United States and Israel also share the view that peace and stability must be maintained in the Middle East. For this reason we have continued to play a predominant role in the peacemaking process. While there have been some disagreements in recent times over Israeli military policy, it is important to remember that these transitory conflicts should not, and will not change the underlying bond between the United States and Israel. Differences between allies can be resolved through negotiations and a willingness to compromise and reach mutually acceptable terms.

Israel is our strongest democratic ally in the volatile Middle East region of the world. Strategically, it is located near the southern tip of NATO, and is close to other traditional U.S. friends, Jordan and Egypt. Israel's experienced military and intelligence agency pro-

vide useful information and assistance during a time of increased Soviet activity in the region. This link in the Middle East may prove to be the United States' most important asset in the years ahead.

The United States must continue to assist Israel in reaching peaceful coexistence with her Arab neighbors, but most importantly we must insure Israel's survival and growth in the years ahead.●

## A BILL TO LIMIT BUSINESS TAX BREAKS FOR LUXURY CARS

### HON. FORTNEY H. (PETE) STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. STARK. Mr. Speaker, today I am introducing a bill to limit the amount of depreciation and investment tax credit that is allowable for luxury cars.

Under present law, automobiles used in trade or business or in connection with an income-producing activity may be depreciated using accelerated cost recovery system (ACRS) over a 3-year period: 25 percent in the first year, 38 percent in the second year, and 37 percent in the third year. In addition, a 6-percent investment tax credit (ITC) may be claimed. This is all fine, Mr. Speaker, but what troubles me is that there is no limitation on the purchase price of automobiles used in determining these tax breaks.

My bill amends section 168(d) of the Internal Revenue Code by adding a limitation in the case of luxury passenger automobiles. The basis of such autos will be limited to \$15,000, subject to an automobile price inflation adjustment. Those vehicles engaged directly in providing transportation services such as ambulances, hearses, and airport limousines will not be subject to the limitation. Trucks, of course, are not impacted.

#### DEPRECIATION

Without a doubt, luxury cars are becoming good investments which are also fun to own. For example, a Mercedes-Benz has retained a significant portion of its value. A Mercedes-Benz 280 sedan, the more modest member of the Mercedes line, purchased in 1976, now costs about \$8,500. Thus, after 7 years this vehicle has retained a value of about 60 percent of its original cost—yet under the tax laws it would be completely depreciated in 3 years. Similar statistics apply to BMW's and—need one even say it?—Rolls Royces.

My bill would not prevent people who own luxury cars from depreciating them under ACRS and claiming the ITC credit for them. It would simply limit the basis used in computing the ACRS and ITC to \$15,000.

There are two basic reasons to limit the favorable tax treatment currently being given for luxury cars. First, many of these cars are maintaining much of their original value. Certain cars which have become classic cars are actually increasing in value. To grant the depreciation allowed by ACRS without a dollar limit for luxury cars fails to deal with the non-depreciating quality of some of these cars.

The second reason to place a limit on these luxury cars is to recognize that there are quality automobiles which provide transportation for well under \$15,000 today in the United States. The average retail price of new cars as calculated by the National Automobile Dealers Association was \$9,910 in 1982. Luxury cars, on the other hand, provide more than transportation—they provide a certain prestige for the occupant of the vehicle. If a person wants to do that with his own money and with his own personal auto, fine—that is his business. But the prestige and extra comfort which is associated with a luxury car in a company or partnership is actually being paid for all of us as taxpayers. And that is what this bill proposes to change.

#### PERSONAL COMPONENT

The personal component in owning a luxury car must be recognized. Cars which are lavish, excessive, and contain a personal component stray far from the used in trade or business category which has always gotten a tax break. Luxury cars by definition provide more to the owner than just transportation.

Let us take cars by Mercedes-Benz as an example. We imported 46,000 Mercedes between January and July 1983. Approximately 50 percent of these cars were brought by partnerships and corporations and generally leased out to various businessmen and professionals such as doctors and lawyers for business use.

Now a businessman can buy a perfectly adequate Chevy Impala for \$8,331 and get the tax breaks I have been describing. He can get the same type of tax breaks if he buys a Cadillac Seville which retails for \$21,440—but the cost to the Treasury will be nearly triple. He even gets to use the same tax breaks if he buys a Rolls Royce which retails for anywhere from \$102,000 to \$159,000—but worth 12 to 20 times more in tax breaks than the Chevy.

Mr. Speaker, we have got to recognize that at some point, people are getting an excessive tax break for personal benefit.

Is it not time to draw the line?●

# CONGRATULATIONS TO FREE CHINA ON DOUBLE TEN

**HON. HENRY J. HYDE**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. HYDE. Mr. Speaker, I would like to pay my respects to the Republic of China on Taiwan on the occasion of its "Double Ten" holiday, the 10th of October, one of its most important annual celebrations. Double Ten is being celebrated today, the 6th of October, here in the United States, so as not to conflict with the celebration of Columbus Day on the 10th.

Double Ten is free China's national holiday in celebration of the Wuhan revolution of 1911. Until recently, mainland China also celebrated Double Ten but has supplanted it with October 1 as its national day.

Mr. Speaker, in any case, I take this opportunity to congratulate the Republic of China on its national day. One need only compare free China with mainland China to realize the extent of its success in meeting the needs of its people. The saga of Taiwan is a true success story. Since 1949 the country has become an example for the rest of Asia in its economic development. It has become the eighth most important trading partner of the United States. Its success at modernization, where the Communists have failed so miserably, has served as an example for all Asia.

While we join in celebrating Taiwan's successes, we must be concerned on this occasion for her long-term security needs. It is to America's interest that free China remain free and secure. To that end we should support Taiwan's security against invasion or coercion, and from incorporation into the People's Republic of China (PRC). Our policy should also be to maintain the confidence of overseas investors in Taiwan.

Mainland China, with its four modernization programs, has undertaken a delicate task; its economic theories must be modified to rationalize and modernize its system of investment, production and distribution. It is possible, in time, that the PRC will liberalize its policies to the point that the people of Taiwan can feel confident in negotiating about their future. But let Taiwan decide. Taipei believes it is not in its interest to negotiate at this time. It is in our interest that the people of Taiwan are assured continued freedom and self-determination. Thus, if reunification is to be considered, mainland China and free China must be given time—time for evolution to take place and a favorable climate for talks to develop.

Congratulations to the people of free China on Double Ten. May they continue their economic, social and po-

## EXTENSIONS OF REMARKS

October 7, 1983

litical progress in an atmosphere free of outside pressure. May Taiwan continue to serve as a shining example to the other countries of Asia, and may the people of free China know that they have countless friends and admirers on this side of the Pacific.●

## OFFICIAL EXPLANATION OF H.R. 3363 CONFERENCE REPORT VOTE

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. MARKEY. Mr. Speaker, I missed yesterday's vote on the conference report accompanying H.R. 3363, Interior Department appropriations for fiscal year 1984 due to an unavoidable conflict. Had I been present, Mr. Speaker, I would have voted "yea" for the conference report. I want to commend the excellent work of my colleague, Mr. YATES, who has come up with a fair and honest budget for the Interior Department. I know of the difficulty one faces in trying to get a straight answer out of the Interior Department, and I applaud the chairman of the subcommittee who persevered in writing a budget which reflects the need of the Department as well as the need and requirements of our country.●

## TRIBUTE TO JAMES STANLEY—MR. TRANSPORTATION

**HON. HOWARD L. BERMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. BERMAN. Mr. Speaker, I rise today in order to pay tribute to James Stanley, known as "Mr. Transportation" in Los Angeles, where, since 1947, he has played a major role in the development of the Southern California freeway system. Mr. Stanley has been selected as the 25th recipient of the prestigious 1983 Fernando Award for his outstanding work and his many civic contributions.

James Stanley served for 19 years as commissioner, vice president and president of the Los Angeles Traffic Commission, from 1953 to 1972. His work was instrumental in the development and construction of freeways from downtown Los Angeles to Ventura, and from Long Beach to Pasadena, as well as freeways, highways and city streets throughout the Southern California area. In addition, he was responsible for the installation of hundreds of badly needed street lights and traffic signals at dangerous intersections, helped to plan vital storm drain systems in the flood-prone San Fernando Valley, and established what

were then new electronically operated parking meters for traffic control on freeway on-ramps. Mr. Stanley has also played a role in the improvement of the region's public transportation system.

James Stanley has been a member of the California League of Cities Transportation Committee for 20 years, serving as the committee's first president from 1953 to 1954, and is a member of the Mayor's San Fernando Advisory Committee on Transportation. He has served as cofounder and vice president of the Mayor's Commissioners Club, president of the Sherman Way Planning and Development Council, and founder and president of the Valley Wide Streets and Highways Committee.

In addition to his notable professional work, as a longtime resident of the San Fernando Valley, James Stanley has given much of his time and energy to community service. He is a lifetime sponsor of the American Cancer Society, the American Lung Society, and the City of Hope. He is a supporter of numerous cultural and educational activities, and is a leader in his church. Mr. Stanley is a member of the Woodland Hills Kiwanis Club and the Canoga Park Masonic Lodge, and of the Chatsworth and Woodland Hills Chambers of Commerce. He was active for 27 years with the Boy Scouts of America, and is currently a National Honorary Supporting Life Leader.

Mr. Speaker, it is easy to see why James Stanley is being honored with the 1983 Fernando Award. I would like to congratulate him on his receipt of this prestigious honor, and wish him the best of luck in the future.●

## DANISH JEWRY RESCUE CELEBRATES 40TH ANNIVERSARY

**HON. MEL LEVINE**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. LEVINE of California. Mr. Speaker, I would like to ask my colleagues to join me today to commemorate the 40th anniversary of the rescue of Danish Jewry from the Holocaust during World War II.

While the exact date is not known, in October of 1943, close to 7,000 Danish Jews—almost the entire Jewish population of that country—were quietly and efficiently housed, hidden, and ultimately transported to safety and freedom with the help of their non-Jewish countrymen.

The result of that rescue effort insured the existence of future Jewish generations at a time when survival seemed impossible.

I am pleased to learn that celebrations commemorating this historic event have been planned all over the



world. We should all be especially proud of the University of Judaism, in Los Angeles, Calif., which has planned a major celebration honoring his Excellency Arne Melchior, Minister of Transportation and Member of Parliament in Denmark, and the Honorable Henning Kristiansen, Consul General of Denmark. Mr. Melchior is the son of the late Chief Rabbi of Denmark, Rabbi Marcus Melchior, who issued the warning to the Jews of Copenhagen that they would be forced into hiding in 1943.

In addition, the university has planned a dramatic presentation, "Miracle at Midnight," based on events of the rescue operation, and a photography exhibit of 150 rare photographs which also document the exodus.

The World War II rescue mission was a remarkable act of Nazi resistance, and I commend the university for their outstanding efforts to honor this event.●

#### THE 72D ANNIVERSARY OF THE REPUBLIC OF CHINA

**HON. DAN MICA**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. MICA. Mr. Speaker, today marks the 72d anniversary of the Republic of China. As the American Government encourages more amicable relations with the People's Republic of China and enters economic and trade agreements with Peking, we should not forget that we have very good friends on the island of Taiwan. We should not forget that we have a commitment to support the free people of Taiwan in their development and growth. We should not forget that in the context of a chaotic and changing world, good friends are hard to come by. On this significant day in Taiwan's history, let us remember our friends and honor them for their persistence and determination.

Taiwan lies about 100 miles off the coast of mainland China and is roughly equal in size to the State of West Virginia. Its population of 18 million is steadily urbanizing as the cities of Taiwan become centers of industry and trade. The United States has maintained strong commercial ties with Taiwan, and we shall continue to forge business relationships that benefit our economy as well as that of Taiwan. Companies such as Bank of America, American Express, and RCA do business in Taiwan, alongside Japanese, Australian, Canadian, and other international corporations.

We maintain close cultural ties with Taiwan, as well. Our people respect the character of a nation that has maintained stability and cared for its

people in the face of diplomatic uncertainty and a Communist shadow.

Let us remember our friends today on the 72d anniversary of their Republic. And let us look forward to continued respect and good will among our people and in our cooperative efforts.●

#### GAO SAYS CONGRESS SHOULD NOT APPROVE CHEMICAL WEAPONS FUNDING

**HON. ED BETHUNE**

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. BETHUNE. Mr. Speaker, the GAO issued a report recently recommending that Congress not fund the chemical weapons program. The GAO examined the funding requests for the 155 mm binary chemical artillery shell, \$18.1 million; the dichloro (DC) production facility, \$25.2 million, which is part of one of the chemicals to be used in the 155 mm artillery shells; the QL production facility, \$34.5 million, which is for one of the chemicals to go into the Bigeye binary bomb; the load, assemble, and pack (LAP) equipment, \$30.6 million for the Bigeye bomb; and funding for Bigeye bomb production, \$43.2 million.

The GAO recommended that none of these funds be approved because the Bigeye bomb "has technical problems and has undergone only limited testing." Since locations have not been chosen for the DC, QL, or LAP facilities, the GAO also recommended those funds be deferred. The GAO also cited the wide range of cost estimates for the various locations under consideration for each of the facilities as a reason for not approving binary chemical weapons funding in fiscal year 1984.

Mr. Speaker, if the DOD does not know where they are going to put these facilities, who is going to build them or if old facilities just need to be renovated, how could they possibly even guess as to how much money is really needed. This is just another example of how the DOD is trying to get the binary chemical weapons program funded by bootstrapping. If they can get Congress to approve some of the funds, the DOD thinks it will be harder for Congress to say no later when funds have already been committed and construction has been started.

The House of Representatives has already said no once to the binary program, and I urge Members to continue to vote against any funding for this program.●

#### THE 75TH ANNIVERSARY OF ST. MICHAEL'S PARISH

**HON. BRIAN J. DONNELLY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. DONNELLY. Mr. Speaker, this year marks an important milestone in the history of Avon, Mass., for it was 75 years ago that the growing Catholic community of that town came together to form their own parish.

Since 1908, Saint Michael's Parish has been a vital force in the life of the town.

While the primary mission of the parish is spiritual, its importance to the community in other aspects of life must not be overlooked. In the course of its history, Saint Michael's Parish has been the heart and soul of countless programs and organizations that have served the children, the parents, and the elderly of Avon. The commitment and concern fostered by the parish has carried into every facet of life in the town.

The parish relocated 20 years ago, to a new, modern church building. The original edifice still stands, though, in the heart of Avon. It continues to serve both as the home of the Catholic men's service organization, the Knights of Columbus, and as a monument to the founders of Saint Michael's Parish.

Congratulations and thanks are in order this year as the parish celebrates its 75 years of service and as it renews its commitment to the spiritual and temporal well-being of the people of Avon.●

#### THE ALCOHOL FUEL TAX INCENTIVE UNIFORMITY ACT

**HON. THOMAS A. DASCHLE**

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. DASCHLE. Mr. Speaker, I am today introducing for myself, Mr. BEDELL, Mr. COELHO, Mr. DORGAN, Mr. EVANS of Iowa, Mr. FAZIO, Mr. GLICKMAN, Mr. HORTON, and Mr. ROE, the Alcohol Fuel Tax Incentive Uniformity Act.

The primary objective of this legislation, which increases from 5 cents per gallon to 9 cents per gallon the Federal excise tax exemption for qualifying alcohol blend fuels, is the provision of a uniform and rational nationwide incentive for alcohol fuel. Currently, 35 States provide alcohol fuel tax incentives with a weighted average of 4.0 to 4.5 cents per gallon. As could be expected, the qualifications, requirements, and conditions of the State based incentives vary considerably. As

a result of the combining of 35 varying State incentives with the Federal incentive, a patchwork of complex, confusing, different and changing incentives for alcohol fuel has resulted. By increasing the Federal excise tax exemption from 5 cents to 9 cents per gallon, the alcohol fuel industry will be provided the stability of a uniform nationwide incentive and States will be able to terminate the current array of State-specific incentives without a diminution in the present incentive level.

From virtual nonexistence only 5 years ago, the U.S. renewable alcohol fuel industry is now producing the most significant liquid fuel alternative available in our country today. The projected production of 400,000,000 gallons of ethanol this year represents a 40-fold increase in production since 1978 and the sale this year of 4 billion gallons of 10 percent ethanol-enhanced blend motor fuels will account for more than 4 percent of the total U.S. gasoline market. In spite of uncertain Government policies, sluggish demand for motor fuels, and a host of economic ills including record high interest rates which crippled, in some cases permanently, already established and well managed enterprises, alcohol fuel production has emerged as a national industry with 80 operational plants located throughout the Nation today.

The increases in production and use of renewable ethanol fuel which have occurred might be surprising to many people because "gasohol" signs, once so prominent, are not as evident today as they were only a few years ago. Recognized for its ability to replace imported oil and extend gasoline supplies, ethanol fuel became popularized as "gasohol" in the aftermath of the Iranian revolution and the consequences of the second oil supply disruption in the decade. As changes occurred in the world oil market and as the lines of U.S. motorists waiting anxiously at service stations to purchase fuel gradually diminished and eventually disappeared, gasohol received less and less public attention.

Gasohol consumers learned, however, ethanol fuel did more than displace imported oil on a one-to-one base and extend supplies of gasoline. Ethanol was also a superior octane enhancer and it is this characteristic which is responsible for the extraordinary increase in the production and use of ethanol fuel which has occurred.

The increasing need for higher octane motor fuels, whether as a result of newer high compression engines or lead-in-gasoline standard changes, has accounted for the increased demand for renewable ethanol fuel. Ethanol, of course, is not the only additive available to increase the octane rating of motor fuels. While other so-called "oxygenates" like

methyl tertiary butyl ether (MTBE), Oxinol, and BTX (benzene, toluene, xylene) can be used to increase octane, in comparison to these other possible additives, ethanol has many advantages. In addition to being environmentally benign and medically safe, ethanol can be produced from our vast abundance of renewable resources including agricultural commodities, food processing and urban wastes, forestry residues, and special energy crops. Last year, for example, 100 million bushels of the U.S. corn crop were utilized to produce ethanol fuel. As a result, the average market price of corn increased by 5 cents a bushel which reduced Federal outlays for deficiency payments to corn producers by more than \$150 million. As a "value-added" processing industry, ethanol fuel production, in addition to providing an expanded, permanent, and stable market for our agricultural production, also creates new employment opportunities and stimulates increased economic activity. For each 100,000 gallons of ethanol production, a new job is created and for each gallon of ethanol fuel produced, \$4 in new economic activity is generated providing increased tax revenues.

Mr. Speaker, the fiscal consequences of this legislative proposal are certainly important and must be carefully considered. Federal budget deficits of \$200 billion a year demand no less. For the benefit of my colleagues, I am providing the following analysis of the fiscal consequences this year of the current excise tax exemption as a basis for evaluating this legislation. As a direct result of the current excise fuel tax exemption for ethanol enhanced fuels, Federal tax revenues have increased by a projected \$288 million, estimated on an 18 percent marginal tax rate basis, due to \$1.6 billion in new economic activity and farm program outlays this year have been reduced by an estimated \$75 million as a direct result of the market-price enhancing demand for 150 million bushels of corn for ethanol production which has reduced deficiency payments, storage costs, and price support loan forfeitures by corn producers. In comparison to these benefits, in March of this year, the Joint Tax Committee estimated Federal fuel excise tax receipts would be reduced by \$40 million, net the income tax effect, in fiscal year 1983 due to the current exemption from the excise tax for alcohol fuels. Based on current projected sales volume this year, I anticipate this estimate is low.

In addition to these direct fiscal impacts, the indirect benefits of ethanol fuel to the Nation must also be considered. Domestically produced renewable ethanol fuel is expected to displace over 10 million barrels of imported oil in 1983. On a \$30 per barrel cost basis, the savings to the United States

are more than \$300 million this year alone.

Mr. Speaker, there is another provision of this legislation which should be noted. This provision makes whole the Highway Trust Fund by providing general tax revenues for the Federal fuel excise tax receipts which are foregone as a result of the exemption for ethanol enhanced fuels. This provision has been included in this legislation for the same reason the States are being afforded the opportunity to terminate the State-specific incentives which now exist for fuel ethanol—the production and use of renewable ethanol fuel benefits the Nation as a whole, not highway users alone. In addition to providing equitable treatment for the Nation's highway users, this provision also recognizes the positive fiscal impacts of the renewable fuel industry which I have previously described.

Mr. Speaker, I am pleased to note companion legislation to the Alcohol Fuel Tax Incentive Uniformity Act is also being introduced in the other body today by Senator Durenberger. I encourage my colleagues in the House to support this legislation. ●

#### RETIREMENT OF BARBARA MOREY AS THE BERKSHIRE AREA BOOKMOBILE LIBRARIAN

HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. CONTE. Mr. Speaker, I would like to pay tribute to a woman who has dedicated 35 years of her life to the western Massachusetts regional library system. Barbara Morey's departure on October 1, 1983, was a great loss to her coworkers, the residents of western Massachusetts, and those who have been touched by her warmth and generosity.

Barbara Morey, a dedicated librarian, first came to Pittsfield as the children's librarian at the Berkshire Athenaeum. In 1948, she became the first librarian of the Berkshire area bookmobile, since then she has performed an invaluable service that has taken priority over everything else in her life, with the exception of her friends and relatives. She has reached citizens in remote parts of the region for two generations that otherwise would not have had access to such a treasure house of books.

Barbara worked with great enthusiasm that earned her the respect and friendship of those patrons she has served. When the bookmobile arrived everyone went out to chat with Barbara. She met all her patrons with a pleasant smile and a cheerful word. Her obvious enthusiasm has won her



the admiration and friendship of many citizens.

Finally, I want to extend my personal thanks to Barbara for all that she has done for the community in the Berkshire region. Fortunately for the citizens that she has served so dutifully for 35 years, Barbara will temporarily volunteer on the bookmobile. Even though she will be sorely missed, her contribution to so many will long be remembered. We thank you Barbara and wish you much happiness in your retirement.●

#### STRONGER UNFAIR TRADE REMEDY LAWS NEEDED

**HON. CARROLL A. CAMPBELL, JR.**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● **Mr. CAMPBELL.** Mr. Speaker, I am today joining with Congressman JOHN P. MURTHA and several of my colleagues in introducing comprehensive trade reform legislation designed to improve the operation of the countervailing duty, antidumping duty, and other trade laws of the United States. This legislation is an attempt to strengthen existing statutes to insure that the intent of Congress is strictly observed and to insure that circumvention of current trade laws by our trading partners is stopped.

U.S. industry is willing and able to compete with products from those countries which play by the rules. But it is clear to me that the United States needs more effective trade laws to deal with countries which resort to unfair trade practices such as injurious dumping, foreign government subsidization of imports, and the predatory "targeting" of certain parts of the U.S. market by foreign producers and governments.

The Subcommittee on Trade, under the able leadership of Chairman SAM GIBBONS, is currently considering legislation to tighten up our unfair trade remedy laws. As a member of the Ways and Means Committee, I look forward to working closely with Chairman GIBBONS and the subcommittee to fashion the most effective legislation possible to see that U.S. workers and industries are not the victims of unfair trade practices.●

#### PERSONAL EXPLANATION

**HON. GERALDINE A. FERRARO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● **Ms. FERRARO.** Mr. Speaker, the need to attend an official function in my district in Queens forced me to miss three votes during House consid-

eration of H.R. 1036, the Community Renewal Employment Act.

The missed votes were rollcalls 346, 347, and 348, on September 21.

Had I been present, I would have voted as follows.

Rollcall No. 346—an amendment by Representative HAWKINS to delete the \$5 billion fiscal 1983 authorization in the bill and instead authorize \$3.5 billion in 1984 for the jobs program. "Aye."

Rollcall No. 347—an amendment by Representative HAWKINS to the Jeffords amendment to terminate the bill's authorization if unemployment rates fall below 4 percent while continuing authorization of funds for areas where unemployment was at least 6.5 percent. "Aye."

Rollcall No. 348—an amendment by Representative GEKAS to prohibit authorization of funds in the bill if spending those funds would result in deficit spending by the Federal Government. "Noe."●

#### INCREASE EXCISE TAX ON CIGARETTES TO 28 CENTS

**HON. JAMES L. OBERSTAR**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● **Mr. OBERSTAR.** Mr. Speaker, I am introducing legislation today which would raise the excise tax on a package of cigarettes to 28 cents permanently. The Tax Equity and Fiscal Responsibility Act of 1982 doubled the tax to 16 cents for 3 years, following which the tax will return to 8 cents, the level first imposed in 1951.

In 1981, prior to the enactment of TEFRA, I introduced legislation similar to the bill which I am introducing today. The figure of 28 cents reflected a reasonable adjustment for 30 years of inflation following the original 8 cent tax. I introduced that bill with the active support of the American Cancer Society, the American Lung Association, and the American Heart Association. I believed then, as I do now, that Congress had made a serious mistake in not acting for 30 years to maintain the real dollar value of the cigarette tax.

While I was pleased that we finally acted in 1982 to provide for some increase in the tax, I was disappointed that TEFRA did not provide for a larger increase on a permanent basis.

Congress should not allow the tax to return to the lower level at the end of 1985. Maintaining the tax at 16 cents would provide the Treasury with an additional \$1.7 billion in 1986. Furthermore, by increasing the tax to 28 cents, we could provide in 1984 over \$2 billion annually above current receipts.

My bill, in effect, would establish our commitment to maintaining the

Federal excise tax equivalent to its real value.

Doing so would obviously have a significant effect on the Federal deficit.

In addition, the increased tax would recover to the Federal Treasury some of the revenue that is lost as the result of smoking-related diseases. Those diseases increase Medicare and Medicaid costs by an estimated \$3.8 billion annually. Cigarette smoking accounted for over 300,000 premature deaths and total health care costs of over \$13 billion in 1980.

The increase in the cigarette tax even to 28 cents is unlikely to deter the long-time smoker, although I wish that the increase would force the individual to reevaluate his or her smoking habits. The substantial increase, however, may make a difference to the young smoker, and the potential smoker. I would hope that the higher tax would deter youngsters from using their limited funds to smoke.

My bill is a revenue-raising measure, but it also has beneficial health effects. This legislation has the support of the American Cancer Society and the American Heart Association. I am proud to join with both groups in sponsoring this responsible health legislation which is long overdue.●

#### THE CABLE COMMUNICATIONS ACT OF 1983

**HON. TIMOTHY E. WIRTH**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● **Mr. WIRTH.** Mr. Speaker, on behalf of myself and a broad, bipartisan coalition of Members, I am today introducing comprehensive cable telecommunications legislation.

The fundamental purpose of this legislation is to insure that the American people will benefit from the enormous potential of cable television to offer them a wide diversity of services and information sources. In a series of key policy areas ranging from public and commercial access to cable channels, to franchise renewal procedures, the legislation reforms and clarifies the confusing and counterproductive array of current practices.

This bill results from a series of oversight hearings, and from long, detailed discussions among Members, and with leading representatives of the cities, the cable television industry, public interest groups, and many, many others.

I would note, in particular, the valuable contributions made to the legislation thus far by the National League of Cities, the U.S. Conference of Mayors, and the National Cable Television Association.

We intend for this process of consultation to continue. I encourage Mem-

bers to give us their ideas and to support this important legislation.●

### COLUMBUS DAY

#### HON. BRUCE A. MORRISON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. MORRISON of Connecticut. Mr. Speaker, there can be no greater American anniversary to celebrate than that of Christopher Columbus' voyage. In leading the way from the Old World to the New, Columbus began the journey that this country and its people have continued for five centuries.

We are a country of immigrants, and Christopher Columbus is really our first immigrant. Of the many sources to which our country traces its roots, none has been more important than the Italy from which Christopher Columbus came. For 500 years the sons and daughters of Italy have enriched our country's history and culture.

In New Haven, Conn., my district, we take special pride in the strength of our Italian-American community, which gives our city and our State so much vitality and which has provided us with so many leaders—not just community and State leaders but national leaders like A. Bartlett Giamatti, the distinguished president of Yale University, and Biagio DiLieto, the creative and dynamic mayor of New Haven.

On Columbus Day, I am proud to join in saluting the first Italian American, Christopher Columbus, and the heritage of vitality and discovery that he began.●

### THE BUS REGULATORY REFORM ACT OF 1982

#### HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. HOWARD. Mr. Speaker, I would like to comment briefly on how the Bus Regulatory Reform Act relates to the Urban Mass Transportation Act of 1964 with respect to operating authority of publicly subsidized mass transit entities.

The Bus Regulatory Reform Act does not supersede the Urban Mass Transportation Act of 1964, nor does it eliminate any operating restrictions on the conduct of tours and charters by public mass transit authorities. It was not intended that the Bus Act would in any way allow these entities to depart from their basic mission of serving commuters.

Section 6 of the Bus Regulatory Reform Act which refers to entry and says that subsidized operators must

meet a public-interest test in obtaining authority means the following:

This section is intended to apply to situations where private bus operators under contract with or receiving subsidy from public mass transit districts apply for operating authority. We felt it was obviously unfair for these private operators to be on equal footing with other unsubsidized operators, so they are required to meet a higher standard.

The Bus Regulatory Reform Act is not intended to provide a loophole whereby publicly subsidized mass transit authorities could obtain nationwide tour and charter authority.

Let me conclude by saying that the present situation with mass transit districts applying for authority at the ICC is as follows:

I understand some such applications have been filed. The Commission has not decided any of those cases. All applicants seek extensive charter and special operations authority. For example, New Jersey Transit Bus Operations, Inc., and the Canadian National Railway seek authority between all points in the United States for a nationwide tour and charter operation. The other transit authorities seeking authority are: Manchester (N.H.) Transit Authority, Panhandle Area Transit, Inc., Audubon Area Community Services, Inc. Cambria (Pa.), Transit Authority, Inc., and Commission de Transport de la Communaute Urbaine de Montreal.●

### WASHINGTON PRESBYTERIAN CHURCH CELEBRATES ITS 160TH ANNIVERSARY

#### HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. YATRON. Mr. Speaker, on October 22 through October 30, the Washington Presbyterian Church will celebrate its 160th year of Christian service to the Reading/Berks County area. In 1823, the church was established through a gift by the Reverend and Mrs. John F. Grier. From that year until today, the congregation of this fine church has shown a willingness to step forward for the selfless task of service to God and neighbor that has been characteristic of the American people from the first moment when the spirit of freedom grew and began to flourish in our land.

One of the greatest strengths of our Nation has always been the individual compassion and commitment of our citizens. The members of the Washington Presbyterian Church are a fine example of this tradition.

It is a distinct pleasure through these remarks to honor this church and its congregation on their 160th an-

niversary. They have indeed been an integral part of the Reading and Berks County community. All our lives have been enriched because of their work and devotion. I know that my colleagues will join me in paying tribute to the congregation, the former pastors, the present pastor, the Reverend Henry Johnson, and Mrs. Pattee J. Miller, general chairman of the historic celebration banquet. As the oldest black congregation in Berks County, Washington Presbyterian Church is most deserving of our recognition and our praise. I know that we all wish them every continued success in the future.●

### TRICENTENNIAL ANNIVERSARY YEAR OF GERMAN SETTLEMENT IN AMERICA

#### HON. DENNIS M. HERTEL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. HERTEL of Michigan. Mr. Speaker, I would like to draw to the attention of my distinguished colleagues the 300th anniversary of German immigration into the United States. On October 6, 1683, 13 Menonite families ended a long journey aboard the sailing ship *Concord* and landed in Philadelphia. Searching for new lives and new hopes, these 13 German families abandoned their native homeland and journeyed to the New World which was rumored to have prosperous opportunities for all who immigrated. In retrospect, these 13 German families became an example to be followed by more than 7 million Germans leaving their homeland in search of freedom, protection from persecution, and for a better life in the New World.

In a mere 3 centuries, the New World grew from a disjointed geographical mass into an amalgamation of United States. Contributing positively in every area of this growth were the dedicated German immigrants. Every generation of German immigrants helped to strengthen our Government, extend our liberty, increase our prosperity, and enrich our culture.

With Hessian mercenaries abandoning the British in favor of the American cause, German-Americans helped to establish our independence. German farmers and merchants migrated west to every State helping develop the Nations' agriculture frontier and metropolitan centers. Politically, German-Americans helped the United States mature through dedicated political participation as exemplified by Carl Schurtz who struggled against the evils of the spoils system, and eventually became the first German born Cabinet member as Rutherford



B. Hays's Secretary of the Interior. Education, art, literature, and music were advanced by great German scholars and educators. Industrial opportunities prompted astonishing advances in every branch of science and engineering, thus making German-American men such as Albert Einstein and George Westinghouse leaders in their fields. German-Americans helped build the American entrepreneurial dream with the efforts of Levi Strauss, Heinz, Fleishmann, Bush, Strohs, and Schlitz. Indeed in virtually every aspect of American development German-Americans have helped to pave the way.

This Congress has authorized and designated this year as the Tricentennial Anniversary Year of German Settlement in America. This act not only commemorates the invaluable contributions made by the millions of German-Americans who helped build the United States but also reaffirms the vital relationships between the Federal Republic of Germany and the United States. Today, as close trading partners and allies in pursuit of world peace, we can be nothing but proud of our German-American heritage begun by those 13 families 300 years ago today.●

#### A TRIBUTE TO MAUDE R. TOULSON

#### HON. ROY DYSON

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. DYSON. Mr. Speaker, I rise today to pay tribute to a woman who made her presence felt in the community and business world, generations before it became fashionable for a woman to do so. Maude R. Toulson blazed trails in the early 20th century that many still have trouble traveling today. In honor of her many civic contributions and her exemplary service to the community and as a U.S. postmaster, I ask this Congress to join in my tribute by naming the Federal Building in Salisbury, Md., in her memory.

Mrs. Toulson's community contributions were many. As an active member in the Episcopal Church, as well as the Quota Club and Democratic Club, she was a model for her peers. Her noble efforts in fund raising for war bonds, the Red Cross and the Community Fund went unmatched.

The family obligation that Mrs. Toulson assumed were also an example of her stamina and determination to succeed. Following her husband's stroke in 1923 she was forced to take over the family drugstore in addition to her maternal duties at home. Somehow she also found the time to teach in area public schools.

In 1937, President Franklin D. Roosevelt appointed Maude R. Toulson postmaster in Salisbury. During her 10 years as postmaster, she led the successful effort to have the Federal Building extensively expanded and remodeled. Her tenure marked the first air mail delivery to Wicomico County and the first rural free mail delivery.

Our debt to Maude R. Toulson lies not only for her outstanding record. We must also recognize Mrs. Toulson for setting an example of fine community service that is difficult to match. We pay this special tribute to a woman who established a very personal and sincere relationship with her employees and patrons. Her warmth is still felt in the halls of the Federal Building, which will proudly wear her name in an appropriate and lasting tribute.

H.R. —

A bill to designate the Federal building in Salisbury, Maryland, as the "Maude R. Toulson Federal Building".

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Federal building located at 129 East Main Street, Salisbury, Maryland, shall hereafter be known and designated as the "Maude R. Toulson Federal Building". Any reference in a law, map, regulation, document, record, or other paper of the United States to such building shall be deemed to be a reference to the "Maude R. Toulson Federal Building".●

#### PERSONAL EXPLANATION

#### HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mrs. SCHROEDER. Mr. Speaker, I was absent October 5, 1983. Had I been present I would have voted as follows: Roll No. 380: yes; roll No. 381: no; roll No. 382: no; roll No. 383: no.●

#### TRIBUTE TO GEORGE A. DILLMAN

#### HON. GUS YATRON

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. YATRON. Mr. Speaker, this fall, Mr. George A. Dillman will celebrate his 15th anniversary of teaching at the Dillman Karate Institute located in Reading, Pa. It is my privilege to bring Mr. Dillman's accomplishments to the attention of my colleagues in the U.S. Congress.

Mr. Dillman was a U.S. national karate champion from 1969 to 1972. He has received many national and international awards for his accomplishments in the martial arts. In addition, he has been nationally recognized for his achievements on televi-

sion. His record for icebreaking is 1,200 pounds and he has won hundreds of awards for fighting form, demonstrations, and weapons.

In addition to his exceptional karate achievements, Mr. Dillman has given unselfishly of his time and talents to many charitable organizations. He has been active in the National Heart Fund, the Cancer Society, Muscular Dystrophy, Multiple Sclerosis, the Olivet Boy's Clubs, and the Save the Pagoda Fund. Mr. Dillman further has donated his time to the local Lions, Kiwanis, Jaycees, and the Knights of Columbus. He has also taught educational courses in the martial arts at Alvernia College, Albright College, the YWCA, and Twin Valley High School.

Mr. Dillman has achieved a sixth degree black belt in karate and is a student of Seiyu Oyata, who has the highest degree black belt—the 10th degree.

Mr. Dillman is one of those rare individuals who has dedicated his life to service and excellence. I know that my colleagues will join me in commending George Dillman on his outstanding career and in wishing him many more years of continued success. He is a truly remarkable individual as he has combined his dedication to the martial arts with his dedication to helping his fellowman. Mr. Speaker, it has been by privilege to bring Mr. Dillman's achievements to the attention of this body.●

#### CARDINAL COOKE MEMORIAM

#### HON. TOM LEWIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. LEWIS of Florida. Mr. Speaker, I was deeply saddened when I heard the news of the death of Terence Cardinal Cooke this morning.

He was a man who lived the values and beliefs that were a part of him and served as an inspiration to others, combining strength, dedication, and humility.

Raised in the South Bronx, Cardinal Cooke never, in a sense, left for greener pastures. His constituents were the men and women of the neighborhoods he knew so well and cared so much about.

His spirit and tenacity provide lessons for us all.

His contribution to all service men and women was monumental. His spiritual and religious values were a comfort to those who defend our freedom.

This is truly a sad day for us all. We have lost a wonderful, generous friend and a good American. Even during the last moments of his painful illness, Cardinal Cooke was thinking of others.●

# A TRIBUTE TO MISS HORTENSE WOODSON

## HON. BUTLER DERRICK

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. DERRICK. Mr. Speaker, I would like the U.S. Congress to join me in bestowing honor upon a grand lady of Edgefield County, S.C.

Miss Hortense Woodson is an octogenarian who has spent her life preserving a very special segment of history. Edgefield County has produced 10 Governors and 5 Lieutenant Governors. In addition, it has produced a number of people who have been instrumental in founding colleges and universities, outstanding leaders in the church, ambassadors, and heroes of the Alamo. Without Miss Woodson's meticulous efforts to preserve this rich history, much of it would be lost.

Miss Woodson has written a number of books and has, for years, contributed to a weekly newspaper. She has been a leader in the United Daughters of the Confederacy, the Women's Temperance Union, the Edgefield Baptist Association, the Daughters of the American Revolution and the American Legion Auxiliary. For 20 years, she has served as president of the Edgefield County Historical Society. This Sunday, at Edgefield Baptist Church, the society will host a testimonial celebration in honor of Miss Woodson. On hand for the occasion will be the Honorable Strom Thurmond, senior Senator from South Carolina, native of Edgefield County and for whom Miss Woodson was employed for many years.

She has served her church, her community, and her country in many ways but she will always be remembered as a special lady and her work will live on after her.●

# NICK CAPORELLA—BUSINESSMAN EXTRAORDINAIRE

## HON. LAWRENCE J. SMITH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. SMITH of Florida. Mr. Speaker, today I rise to pay tribute to Nick A. Caporella, who has been cited as Businessman Extraordinaire by the Columbus Citizens Foundation, a leading Italian-American charitable organization that supports educational, cultural, and civic activities. He is currently president and chief executive officer of Burnup and Sims, Inc. of Fort Lauderdale, Fla. A 1979 Horatio Alger Award recipient, Mr. Caporella will be honored by the Columbus Citizens Foundation for his outstanding achievements on October 8 in New York City.

Mr. Speaker, I know that you and our colleagues here will want to join with me in extending our congratulations to Nick Caporella. In a rags to riches success story, he has fulfilled the great American dream. Caporella began his career with \$250 and became a millionaire at age 24. As a Pennsylvania schoolboy, he collected scrap metal and coal to help support his family. He started scrap iron and mud flap businesses in a depressed mining area of Pennsylvania and from this humble beginning he rose to take the leadership in the cable telecommunications industry.

Selected as the winner of the Columbus Citizens Foundation's Annual Leadership Award for Business and Industry, Mr. Caporella joins such notables as Lee Iacocca, who was chosen in 1982 for his business achievements as head of Chrysler Corp. In 6 years, Mr. Caporella has built Burnup and Sims into one of the country's leading cable TV and telecommunications service companies. With his leadership abilities and talent, Mr. Caporella increased Burnup and Sims revenues three-fold and increased profits 26 times since his takeover of a company that was severely impacted by the 1975 recession. Mr. Caporella's achievements are rooted in his philosophy that personal happiness and success are byproducts of establishing worthy goals and working towards them.

I am pleased to give testimony to the astonishing career of this enterprising man. It is my hope that today's youth will see in the success of men such as Nick Caporella a role model they most want to emulate.●

# JOE FRANK, JR., MISSOURI DEPARTMENT COMMANDER

## HON. RICHARD A. GEPHARDT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. GEPHARDT. Mr. Speaker, on October 15, 1983, the American Legion, Department of Missouri, will welcome home its newly elected Missouri Department Commander Joe Frank, Jr. In addition to being the youngest State commander ever elected, Joe is also the first Vietnam veteran to hold this important post.

For those of us already aware of Joe's character and talent, his election came as no surprise. He has taken on much larger battles in his life—and he has won those as well.

After returning from Vietnam with a service-connected impairment, Joe immediately dedicated himself to public service. He served as commander of Lemay Memorial Post 162 and he helped organize the Crestwood Memorial Post 777. In 1979, Joe became a

national service officer with the Paralyzed Veterans of America. He graciously assisted veterans and their dependents in claims before the Veterans' Administration.

Joe's awards and citations are numerous. The Jaycees recognized him as an Outstanding Young Man of America in 1982. In the same year he was appointed by Gov. Christopher Bond as a board member of the St. Louis Vietnam veterans leadership program. Joe is also the recipient of two Presidential certificates in recognition of his outstanding service to the St. Louis community.

Joe is not content, however, to rest on his past achievements. He continues to serve his fellow veterans at the Jefferson Barracks VA Medical Center as an employment coordinator. He is also active in many veterans and civic organizations.

On behalf of the Third Congressional District, which is home to Joe and his family, I salute Joe Frank, Jr., as a distinguished public servant, deserving of high commendation by all Missourians.●

# IN TRIBUTE TO DONALD A. BUSSEY, AN OUTSTANDING BUSINESS AND CIVIC LEADER

## HON. LEON E. PANETTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. PANETTA. Mr. Speaker, it is my pleasure and privilege to call to the attention of my colleagues to work of Donald A. Bussey, one of our truly outstanding civic leaders in central California. On Friday, October 21, Mr. Bussey's friends and colleagues will gather for a testimonial dinner on his behalf. A lifelong resident of the Monterey Bay Area, Don Bussey has worked some 38 years for Kaiser Aluminum and Chemical Corp. and has provided our community with years of outstanding leadership and service.

Don Bussey attended the Oakland Polytechnic College where he received his bachelor of science degree in industrial chemistry. Upon graduation, Don went to work for Kaiser Aluminum as a junior engineer. By 1948, Donald Bussey had become superintendent of Kaiser's Moss Landing plant and by 1969 was projects manager for the entire Moss Landing Area. After Don's retirement in 1980, he has continued to serve as a consultant to the Kaiser refractory division in Moss Landing until October of this year. Yet what sets Don apart—beyond his many successes at Kaiser—has been his dedicated service and leadership role in his community.

For more than 45 years Don has been involved in a variety of civic, governmental, and charitable organiza-



tions and projects. Don's leadership spans a wide spectrum of concerns: economic and employment development in the Monterey Bay Area, environmental issues, and education and health concerns. Don has served as president of both the Watsonville and Salinas Chambers of Commerce, chairman of the Monterey County chapter of the American Red Cross, planning commissioner for Santa Cruz County, president of the Northern California School Personnel Commissioners Association, and board member of the energy commission of Santa Cruz County.

Mr. Speaker, these are just a few of the more than 35 community organizations to which Donald Bussey has freely given his time and leadership. I would be hard pressed to fully do justice to the many contributions of Mr. Bussey to the 16th Congressional District, and in particular to the Monterey Bay Area. However, I would like to take this opportunity to invite my colleagues to join me in paying tribute to Mr. Donald Bussey, an outstanding business and civic leader.●

#### EXPLANATION ON H.R. 3648, AMTRAK IMPROVEMENT ACT

**HON. EDWARD J. MARKEY**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. MARKEY. Mr. Speaker, I missed a vote today on a quorum call and the Florio amendment to the Amtrak Improvement Act, H.R. 3648, due to an unavoidable conflict. Had I been present I would have voted "yea" for the amendment. I think the amendment was an improvement to the bill and I hoped it had been accepted.●

#### TAIWAN SALUTED

**HON. GERALDINE A. FERRARO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Ms. FERRARO. Mr. Speaker, I want to take note of the fact that next Monday, October 10, is the Republic of China's National Day. Unfortunately, because of a schedule conflict, I will not be able to attend this evening's celebration of this important date.

During August, it was my good fortune to have an opportunity to visit Taiwan, along with several of my colleagues. Our mission was to discuss trade matters of mutual concern, and to come to a better understanding of Taiwan's enormously successful economic development program. I must tell you that I was impressed, both by the people with whom we met and by

the prosperous, modern society that they are creating.

In a relatively short period of time, Taiwan has been transformed from a predominantly agricultural economy to a technology-based economy producing a wealth of sophisticated products. This remarkable success story is due, in large measure, to the energy, dedication, and resourcefulness of Taiwan's 18 million residents.

Mr. Speaker, on its National Day, I salute the people of Taiwan and extend to them my hopes for continued friendship and harmonious relations between our peoples.●

#### PERSONAL EXPLANATION

**HON. GARY L. ACKERMAN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. ACKERMAN. Mr. Speaker, due to official business in my district, I was unable to be in the Chamber during part of the proceedings on Tuesday, October 4, and Wednesday, October 5. Had I been present, I would have voted "No" on rollcall No. 379, the Defense Production Act Extension, S. 1852; and "Yes" on rollcall No. 383, supplemental appropriations for fiscal year 1984, H.R. 3959.●

#### COASTWEEK '83

**HON. MARCY KAPTUR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Ms. KAPTUR. Mr. Speaker, Ohio Governor Richard F. Celeste has designated the week of October 9-16 as Coastweek '83 in recognition of the importance of Ohio's Lake Erie coastline, our Nation's fourth seacoast. With this designation, Ohio joins a growing number of States setting aside a week in mid-October to focus special attention on the Nation's vital coastlines.

Ohio's Lake Erie coastline has played an important role throughout the State's history. Lake Erie is an integral part in the economic and industrial growth of the State. Millions of tons of goods are shipped through its commercial ports each year.

The lake and its coastal areas also provide a variety of recreational opportunities for Ohio citizens and visitors. Fishing, boating, and other activities are enjoyed throughout the lake region and are major contributors to the area's economy. On behalf of all the people of the Ninth District and the House of Representatives, I congratulate and thank all of those responsible for recognizing Ohio's coastline as a critical economic and social resource to the Nation.●

#### LONGMEADOW, MASS., CELEBRATES ITS BICENTENNIAL

**HON. EDWARD P. BOLAND**

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1982

● Mr. BOLAND. Mr. Speaker, for the past year the citizens of the town of Longmeadow, Mass., have been celebrating the bicentennial of their beautiful town. On Saturday, October 8, Bicentennial Days, a 3-day grand finale of this yearlong celebration will begin. It promises to be an exciting and memorable event in life of an extraordinary community.

Longmeadow was purchased from the Indians in 1636 by William Pynchon, the founder of Springfield, Mass. For the "long meddowe called Masacksic," Pynchon paid four fathom of wampum, four coats, four hatchets, four hogs, and four knives. In 1644, Benjamin Cooley built the first house in what was to become Longmeadow, and the town was incorporated in 1683. A particularly severe flood of the Connecticut River in 1695 convinced the town's residents that a move to higher ground was necessary, and by 1709 the move was complete. By 1714, the town's stability and legitimacy as a separate municipal entity was recognized by the Massachusetts General Court's approval of a request to establish a church, and Stephen Williams, the first pastor, arrived late in the year. Longmeadow has thrived ever since.

Longmeadow is the kind of picture post card town that most people envision when they think of New England. Anyone who visits the town cannot help but be impressed by the obvious pride that the citizens have in their community. It is this feeling of pride, so evident in the bicentennial activities planned and directed by Peter and Eleanor Santos and the members of their committee, that links today's townspeople with their forebearers of two centuries ago, and forms the heritage that they will pass to succeeding generations of Longmeadow residents. Longmeadow has been, and will continue to be, a great place to call home because its citizens care enough to make it so. I hope that the bicentennial celebration which will end this weekend will renew the spirit of community which has characterized Longmeadow throughout its history so that it may be drawn upon freely in the years to come.

Mr. Speaker, I have long admired Alistair Cooke's description of America found in the closing paragraphs of his book by that name:

The original institutions of this country still have great vitality. The Republic can be kept, but only if we care to keep it. \* \* \* As I see it, in this country—a land of the most

persistent idealism and the blandest cynicism—the race is on between its decadence and its vitality.

The race of which Cooke writes will not be won by any pronouncements from Washington. It will be won by the preservation and promotion of the shared values which have been the foundation of communities like Longmeadow throughout this country.

Congratulations and best wishes to the people of Longmeadow as they celebrate their town's 200th birthday and as they strive to stay the course of success on which the town has traveled since 1783.●

#### IN MEMORY OF DEDICATED SERVICE

**HON. NANCY L. JOHNSON**

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mrs. JOHNSON. Mr. Speaker, I was saddened to note the death of Bettie Bates, a long time resident of Southington, Conn. Although Bettie worked full time at Superior Products Distributors, Inc., that did not prevent her from raising four fine children and involving herself deeply and meaningfully in a variety of community activities including the Southington First Congregational Church, the town housing authority, the Republican town committee, and the Danish Sisterhood Society.

Such a sense of commitment and community involvement reflects the tradition that has built our country into the great Nation that it is today. People like Bettie Bates not only serve the community of today, they also serve the community of tomorrow by setting a fine example for future generations to emulate. We can pay no greater tribute to her example of dedicated community participation than to follow her example in our daily lives.●

#### CONGRATULATIONS TO OUR FRIENDS IN THE REPUBLIC OF CHINA

**HON. TOM CORCORAN**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. CORCORAN. Mr. Speaker, today we join our friends in the Republic of China on Taiwan in celebrating Double Ten day, the day in 1911 when the Chinese Republican revolutionaries successfully overthrew the Manchu provincial government in Hubei province, beginning the downfall of the last imperial dynasty in China. In short, this is the ROC's principal independence day, and I am pleased to congratulate them and join

in the celebration of the 72nd anniversary of their founding.

In early 1981, I had an enlightening visit to the Republic of China. Prior to that, I had always believed our two countries have a unique and close relationship based primarily upon a strong foundation of mutual interests. Both the United States and the Republic of China share the goal of a free political and economic order—in which economic opportunity and the natural laws of the marketplace prevail, and in which independent nations may prosper in peace and security. We share the perception that liberty and a free economic system in the long run offer the greatest opportunity for social and economic advancement for the greatest number of people. These long-held beliefs were tangibly reinforced over and over as I toured the ROC and talked with her people, both in and out of government.

Throughout recent history, the United States and the ROC have acted together in defense of these shared ideals. In World War II, we fought together as allies against a powerful enemy which directly threatened China's right to national self-determination. In later years, we have shared in the defense of the free world and in the goals of economic, social and cultural advancement. The strides made by the Republic of China during this period have been most impressive, and this, I believe, stands as a tribute to the vitality and dynamism of the ROC's political and economic system.

On this anniversary of her founding, the Republic of China should be proud of these many accomplishments, and can be sure there are many of us in Congress who believe in her and will continue vigorous support for a militarily strong and secure Free China. The principles which have held us together these many years will endure. Our friendship, based upon the upholding of democratic principles and high aspirations—those reflected in the thoughts of Dr. Sun Yat-sen, remains firm.●

#### NICK CAPORELLA HONORED BY COLUMBUS CITIZENS FOUNDATION

**HON. E. CLAY SHAW, JR.**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. SHAW. Mr. Speaker, cited as a "businessman extraordinaire," Nick A. Caporella, president and chief executive officer of Burnup & Sims Inc., will be recognized for his achievements by the Columbus Citizens Foundation, the leading Italian American charitable organization, at a gala black-tie dinner, Saturday, October 8, in the Waldorf-Astoria's grand ballroom.

Caporella, a 1979 Horatio Alger recipient, will share the evening's honors with actress Sophia Loren, winner of the Award for Achievement in the Arts; New York Gov. Mario M. Cuomo; and Dr. Edward J. Mortola, president of Pace University. All will participate in the televised 35th annual Columbus Day parade up Fifth Avenue on October 10.

Nick has come a long way—from the scrap iron and mud flap businesses he ran as an enterprising boy in the depressed mining area of Pennsylvania—to leadership of a major telecommunications and cable television service company. Achievement through challenge is what stimulates Nick Caporella. He has always felt that personal happiness and success are the by-products of establishing worthy goals and working toward them. When one goal is achieved, set a new more difficult one, and work toward that.

In his early twenties, Nick paid \$250 down on a used \$9,000 excavating machine. He operated the machine night and day, and scoured south Florida construction sites for more contracts. When new work became available, and a need for more machinery existed, Nick recruited his father and brother to help run the business. The number of landclearing and site-preparation projects increased and the firm prospered. At the age of 30, Nick sold the family holdings in several companies, and after a few months of retirement started a new company in Fort Lauderdale, named in honor of his father, which became one of Florida's largest site-preparation firms.

In 1972, the company was acquired by Burnup & Sims Inc. In 3 years, he was elected president and chief executive officer. The company was suffering losses from the recessions. He took firm control, completely reorganized the company, and a profit was turned in 1976.

Under his leadership for 6 years, revenues tripled while profits increased 26 times. Nick Caporella built his company on the strong belief that each employee must continue to grow and expand, that the entrepreneurial spirit will control, and that self-confidence, perseverance and compassion be the rule.●

#### ZYGMUNT R. BIALKOWSKI

**HON. JOSEPH M. McDADE**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. McDADE. Mr. Speaker, it is my sad duty to report to the House the passing of the best example I know of the kind of citizen that has made America great.

Last week, Zygmunt R. Bialkowski, lawyer, churchman and civic leader



died after 50 years of service to those around him.

He was an attorney of great reputation who chose to offer his leadership and wisdom, not only to his clients, but to his profession. He was a member of the Pennsylvania Bar Association Board of Governors and president of his local bar association. It was under his leadership that merit selection of judges to Pennsylvania was instituted. His concern for his profession also brought him to lead his alma mater, the Dickinson School of Law, into its now important position in the Nation's top 20 law schools by spending years of work to build its endowment fund.

Further, Mr. Speaker, he served his community. He was a leader in the Masonic orders and played a key role in saving the Masonic Temple in Scranton from destruction. He was also an active member of the chamber of commerce and the Lions Club as well as a founding member of the Scranton-Lackawanna Human Development Agency.

Moreover, Zygmunt Bialkowski served his church. He served as a member of the National Supreme Council of the PNCC, the board of trustees of the St. Stanislaus Polish National Catholic Church in Scranton and was a leader in the strengthening of the Savanarola Seminary. And in recognition of his leadership, and concern for others, he represented the church at a number of White House meetings on food distribution to the needy. As a leader in the Polish National Catholic Church, he joined with his friend Ernie Gazda, Sr., to insure that his church would be a strong force in the Polish community in future years.

Mr. Bialkowski has, by his life, given us an example that any man or woman would be proud to emulate. His three fine children, with families of their own, his strong and successful church, his law school grown in importance, and a strengthened, more capable Pennsylvania bar judiciary are each a tribute to his life. Although he will be sorely missed, his life stands as an example to each of us, showing what a dedicated American can achieve.

Our prayers go out to his wife, Gertrude, and his children, Claudia, Brenda, Zygmunt and their families. ●

#### DANGER: UNLABELED INGREDIENTS IN MEDICINES

HON. RICHARD L. OTTINGER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. OTTINGER. Mr. Speaker, most physicians and the public are not aware that labeling requirements for pharmaceuticals do not require full

disclosure of contents. In most cases, only "active" ingredients must be listed on the label of prescription and over the counter medications. "Inactive" ingredients—fillers, binders, coatings, flavorings, and so forth—that can cause a variety of adverse effects, especially allergies and gastrointestinal upset, are not listed. Because the additives are not labeled, physicians cannot evaluate them for cancer-causing potential, birth defect-causing potential, allergies and toxicity. Patients with known allergies to specific additives cannot avoid them in medicines because they do not know which medicines contain them. There is no reference listing them and the FDA will not disclose them. Therefore, I am introducing legislation today to remedy this situation by requiring that all active and inactive ingredients be listed clearly on the label of all drugs.

This problem was brought to my attention recently by a doctor from my Congressional District, Dr. Jeffrey L. Brown of Harrison, New York. Dr. Brown alerted his colleagues to the potential problem in a recent letter in the New England Journal of Medicine. Dr. Brown points out that most doctors do not realize that drugs contain potentially troublesome additives, and even if they are aware of them, they have no way of identifying substitute medicines that are free of the ingredients.

In some cases the inactive ingredients may be responsible for a variety of adverse effects which would erroneously be blamed on the active ingredient in the medicine. The full extent of this problem has yet to be discovered. Patients may be taking three completely different medicines containing the same additive but their common adverse reaction would not be noted because the additive is unlabeled. While we hope that the health hazard from our lack of information is not a major one, only by full disclosure can we determine the seriousness of the problem.

A review of the list of inactive ingredients approved for use in drugs by the Food and Drug Administration reveals a variety of ingredients which might be considered undesirable in specific situations and with the potential for significant morbidity. Dr. Brown has cited the following examples of the problem:

A commonly sold medicine for gas and cramps (Mylacon) simethicone, contains 0.3 grams of lactose per tablet. Since one of the most common causes of gas and bloating is lactose (milk sugar) intolerance, the patient's symptoms may increase while taking the medicine. The same brand prescribed in liquid form would be lactose free; however, consumers have no way of knowing this because of inadequate labeling.

The August 1983 FDA Drug Bulletin describes many severe allergic reactions, especially in asthmatics, to commonly used food and drug preservatives—sulfites. Sulfites are

used in antibiotics, IV solutions, analgesics, anaesthetics, steroids, and nebulized bronchodilator solutions. FDA wants doctors to report adverse reactions to sulfites to the FDA. Yet, sulfites, as with other FDA approved inactive ingredients, are not listed on the label. FDA does not explain how it wishes physicians to report allergic reactions to sulfite containing medicines when it will not supply doctors with a list of these medicines.

Consumers cannot avoid taking additives in drugs that they might choose to avoid in foods. Wheat or soy flour and peanut oil can easily be avoided by a label-reading allergic patient when eating foods but the same individual might, quite literally, be made sick by one of his or her medicines.

A child taking St. Joseph's Fever Reducer would consume as much saccharin in one day as an adult drinking 12 ozs. of Diet Pepsi when calculated on a per weight basis. Other popular children's medicines (e.g. Tylenol baby drops and syrup) also contain unlabeled saccharin. To require that diet soda containing saccharin carry a cancer warning but not require that a children's over the counter medicine containing saccharin list the saccharin is difficult to explain.

At the most simple level, parents might wish to avoid giving their children a nighttime dose of a liquid medicine or give it prior to tooth brushing if they know that it contained substantial amounts of sugar. In addition, sucrose (table sugar) might be contraindicated for some diabetic patients.

Under present law, certain inactive ingredients must be listed on the label. One of these is alcohol. Benzyl alcohol—a bacteriostatic preservative—was recently shown to cause brain damage and death in small premature infants. Had benzyl alcohol not been listed on the label, many more years may have passed before its neurotoxicity to neonates was discovered.

Our policy relating to the labeling of pharmaceuticals is clearly inadequate and needs to be corrected immediately. Dr. Brown believes that labeling requirements should be as strict for medicines as they are for food and I agree. I hope my colleagues will join me in supporting this vital drug labeling legislation.

The text of this legislation follows:

A BILL To amend the Federal Food, Drug, and Cosmetic Act to require that the label of all drugs disclose the active and inactive ingredients in the drug

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 502(e)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352(e)(1)) is amended to read as follows:*

*"(e)(1) If it is a drug, unless (A) its label bears, to the exclusion of any other nonproprietary name (except the applicable systematic chemical name or the chemical formula) (i) the established name of the drug and (ii) in case it is fabricated for two or more ingredients, the established name and quantity of each active and inactive ingredient, including the quantity, kind, and proportion of any alcohol, and the established name and quantity or proportion of any bromide, ether, chloroform, acetanilide, acetophenetidin, amidopyrine, antipyrine, atropine, hyoscyne, hyoscyamine, arsenic, digi-*

talis, digitalis glucosides, mercury, ouabain, strophanthin, strychnine, or thyroid, or any derivative or preparation of any such substance, contained therein, and (B) the established name of such drug and ingredient on such label (and on any labeling on which a name for such drug or ingredient is used) is printed prominently and in type at least half as large as that used thereon for any proprietary name or designation for such drug or ingredient. Active and inactive ingredients shall be listed separately. To the extent that compliance with the requirements of clause (A)(ii) or clause (B) of this subparagraph is impracticable, exemptions shall be established by regulations promulgated by the Secretary."

(b) The amendment made by subsection (a) shall take effect upon the expiration of 180 days after the date of the enactment of this Act.●

#### MODERNIZE FOOD SAFETY PROVISIONS

**HON. ALBERT GORE, JR.**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1982

● Mr. GORE. Mr. Speaker, I am pleased to cosponsor legislation introduced today by my colleague from Illinois, Mr. MADIGAN, to modernize the food safety provisions of the Food, Drug, and Cosmetic Act. My cosponsorship of this bill represents a continuing interest in insuring that the Food and Drug Administration is enforcing a law that is workable and conforms to modern science. I believe the FDA must not be made to enforce a statute that was adequate when it was passed, but that now invites the risk of public ridicule. FDA must enforce laws that the public respects; the current law must bend before it breaks.

In the last Congress, I introduced legislation that would have accomplished many of the needed changes. Since the winter of 1982, I have been persuaded that we need to be even more careful in drawing a line that permits scientific flexibility, but still safeguards the public. This bill represents an advance over previous efforts in drawing that delicate balance. By defining "safe" as a "reasonable certainty that the risks of a substance under the intended conditions of use are negligible," the bill places itself firmly on the side of the public health. In cosponsoring this bill, I clearly intend that the word "negligible" be interpreted as it is in Webster's: "so small or unimportant or of so little consequence as to warrant little or no attention." I similarly believe that this should be the meaning embodied in the so-called Delaney clause of section 409. If this bill is passed, I firmly intend to see that the Congress oversees the implementation of the law with this definition in mind.

I do not agree with everything in this bill, but I believe it is important that the legislative process move for-

ward. I believe that changes in the Food, Drug, and Cosmetic Act are needed to provide certainty in the administration of our food safety laws and to insure a strong and credible agency. If hearings are held in the House, it is my intention to make certain that the public health is protected. I look forward to a thorough and open discussion of these issues with both industry and consumer groups. If it appears after these discussions that other public health problems need to be addressed to make the FDA a more effective agency, I will not hesitate to address them. If there is doubt about the small degree of flexibility we are delegating to the Agency, I shall propose the necessary changes. I will not lose sight that the goal of this legislation is to make certain that the FDA is capable of protecting the public health, while operating within the letter of the law.

In the final analysis, I believe that public policy and public health will be better served by having a set of laws that we can depend upon our public agencies to enforce, rather than continue a situation in which the FDA must twist and turn to avoid making decisions that the American people clearly feel would be foolish. To do less invites disrespect for the law, and is corrosive of public trust.●

#### THE COMPREHENSIVE TRADE LAW REFORM ACT OF 1983

**HON. JOHN P. MURTHA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. MURTHA. Mr. Speaker, today the Comprehensive Trade Law Reform Act of 1983 was introduced by Messrs. BROYHILL, CAMPBELL, GAYDOS, SCHULZE, SPRATT, and myself. This legislation is a bipartisan set of proposals that would provide for thorough and comprehensive reform of U.S. trade laws. In addition, these proposals have a broad range of support throughout American industry and labor including such sectors as chemicals, color televisions, fiber/textile/apparel, footwear, leather goods, metalworking, nonferrous metals, and steel.

As a matter of perspective, this legislation should be considered as an alternative to proposals currently being reviewed by the House Ways and Means Subcommittee on Trade under the leadership of SAM GIBBONS.

Chairman GIBBONS has provided vigorous leadership in the effort to seek improvements in our trade laws and these bipartisan proposals should be useful to the chairman and the subcommittee members during their consideration of these important issues. By introducing this legislation today, we sincerely hope to encourage and

contribute to further debate, discussion and deliberation on trade issues.

This bill seeks changes in four major areas of U.S. laws:

First. Our antidumping/countervailing duty statutes;

Second. Our escape clause which is section 201;

Third. Our unfair trade remedy tool which is section 301; and

Fourth. The Revenue Act of 1916 which allows for court cases to be brought against dumped imports.

These reforms are intended to make U.S. trade laws less complex, less expensive, less arbitrary, more certain, more expeditious, more fair and more effective for all petitioners. The following summary provides an overview of the legislation's major provisions:

#### SUMMARY OF THE "COMPREHENSIVE TRADE LAW REFORM ACT OF 1983"

Overview—a comprehensive approach to trade law reform designed to reduce costs and complexity and increase predictability and effectiveness.

#### TITLE I—REFORM OF ANTIDUMPING AND COUNTERVAILING DUTY STATUTES

Expedites application of provisional remedies in meritorious cases.

Reduces cost of litigation: by placing burden of proof on party in possession of facts; by standardizing disclosure; by eliminating preliminary injury hearings in clearly meritorious cases; and by permitting successful petitioners to recoup litigation costs.

Establishes Small Business International Trade Advocate's office in Department of Commerce.

Clarifies injury standards and places greater emphasis on threat of injury.

Reduces Department of Commerce discretion: to extend deadlines; to suspend investigations without consent of petitioner; to reduce AD or CVD duties (as in the Japanese TV dumping cases); and to revoke outstanding orders.

Clarifies application of statutes to "downstream dumping" and "upstream subsidization" of major inputs.

Clarifies application of CVD statute to targeting practices.

Authorizes suspension of antidumping investigations based on quantitative restraint agreements.

Expands definition of domestic industry to include producers of major components (e.g., TV picture tubes).

Clarifies applicability of offsetting adjustments in determining dumping margins and provides statutory direction with regard to miscellaneous unsettled issues in the administration of the antidumping statute.

#### TITLE II—ESCAPE CLAUSE (SECTION 201 OF THE 1974 TRADE ACT)

Amends Section 201: by conforming the injury test to GATT standards; by requiring the President to provide the import relief recommended by the ITC unless he makes finding that provision of such relief is not in the national economic interest and the Congress enacts implementing legislation authorizing alternative relief proposed by the President; by providing specific authority to negotiate orderly marketing agreements; by providing standing for producers of significant components irrevocably destined for inclusion in a finished product; by providing for provisional remedies in specified surge situations; and by extending the time-



window of relief from 3-5 years to 5-10 years.

**TITLE III—ENFORCEMENT OF UNITED STATES RIGHTS (SECTION 301 OF THE 1974 TRADE ACT)**  
Amends Section 301: to clarify its applicability to foreign industrial targeting practices and "reciprocity"; to establish a targeting monitoring responsibility in the Office of the USTR; to establish procedures for conducting 301 investigations in a manner similar to AD/CVD procedures; to increase the role and responsibility of the "administering authority" (presently USTR) in investigation and decision-making; and to provide for judicial review of determinations by the administering authority.

**TITLE IV—PRIVATE REMEDIES**  
Amends the Revenue Act of 1916: to eliminate criminal sanctions and treble damages and to provide a viable private right of action in the federal courts to recover actual damages for dumping, ITC and Department of Commerce final determinations to be considered *prima facie* evidence of dumping, thus shifting the burden of proof to defendants. Failure to comply with discovery orders to trigger discretionary injunctive authority by the court to exclude further importation of merchandise. ●

#### PERSONAL EXPLANATION

##### HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. GEJDENSON. Mr. Speaker, due to a pressing engagement, I was unable to be here for rollcall No. 380, the conference report on H.R. 3363, making appropriations for the Department of the Interior and other agencies for the fiscal year ending September 30, 1984. Had I been present, I would have voted "yea." ●

#### INF RESOLUTION INTRODUCED

##### HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. MARKEY. Mr. Speaker, in just 2 months, the United States is scheduled to begin deploying the Pershing II and ground-launched cruise missiles in Europe. It is a deployment a majority of Europeans either do not want or want delayed to give the negotiations a chance. It is a deployment that has no military utility. And it is a deployment, which rather than lead us closer to a settlement, will make an INF agreement much more difficult to achieve with the Soviet Union.

The most likely result of the deployment will be an escalation of the nuclear arms race in Europe. During the past month, I have chaired several public forums where distinguished European leaders have testified that the Soviets may likely respond to our deployment by deploying short-range SS-22's in East Germany and Czecho-

slovakia. Those SS-22's would have a flying time of about 2½ minutes to their targets. That means our Pershing II's would be 5 to 10 minutes from their targets and the Soviet SS-22's would be 2½ minutes from their targets. I cannot imagine more of a hair-trigger situation than that.

The superpowers are marching on a nuclear collision course in Europe. Contrary to the popular notion you find here in Washington, deploying the Pershing II's will not force the Soviets into concessions at Geneva—any more than the Soviets deploying missiles in Cuba would bring us to our knees at the bargaining table. No, the only thing we can count on with the deployment is that it will certainly make the negotiations at Geneva much more difficult.

Clearly, for us to get out of the corner we and our NATO allies have painted ourselves into, the December deployment should be delayed for a specified period so the negotiators can have time to produce some results. And clearly, if there are going to be results at Geneva, the U.S. INF proposal must be different from what is currently on the negotiating table.

I am therefore introducing a resolution today which calls for a 6-month delay in the U.S. Pershing II and cruise missile deployment if the Soviets agree to negotiations that will result in no deployments by the United States and deep reductions in Soviet intermediate-range nuclear forces.

It must be stressed that this resolution does not call for an open-ended delay. The 6-month postponement would come if the Soviets agree to enter into negotiations that result in an INF treaty at the end of that period. That treaty would involve a two-stage agreement that would have the Soviets dismantling all their SS-4's and SS-5's, and dramatically reducing their SS-20's aimed at Europe, in exchange for the United States not deploying the Pershing II's and postponing the deployment of a reduced number of ground-launched cruise missiles until December 1985. If the Soviets then agree to further SS-20 reductions, to the level of the independently targetable warheads in the British and French nuclear missile forces, the United States would then cancel the deployment of all remaining cruise missiles. The resolution also calls for the combining of the START and INF talks to achieve a mutual and verifiable nuclear freeze with the Soviet Union followed by a major and mutual reductions in both sides' nuclear forces.

The following is a copy of the resolution and a chart which explain how the reductions will be accomplished:

#### JOINT RESOLUTION

To delay United States Pershing II and cruise missile deployments for six months if there is prompt United States-Soviet agreement to negotiate mutual nondeployment and reductions of intermediate-range nuclear force (INF) missiles in Europe

Whereas the December 12, 1979, North Atlantic Treaty Organization Ministers' communique noted that the governments concerned "attach great importance to the role of arms control in contributing to a more stable military relationship between East and West and in advancing the process of détente";

Whereas the 1979 communique expressed the desire "to further the course of arms control and détente in the 1980's" and noted "the contribution which the SALT II Treaty makes toward achieving these objectives";

Whereas the 1979 communique noted that long-range theater nuclear systems should be included in arms control negotiations "to achieve a more stable overall nuclear balance at lower levels of nuclear weapons", and that these negotiations should be conducted "in the SALT II framework in a step-by-step approach";

Whereas by refusing to ratify the SALT II Treaty while pursuing separate negotiations on strategic and theater nuclear weapons, the United States Government has diverged significantly from these mutually agreed understandings with our allies;

Whereas the proposed deployment of missiles outside the context of an arms control agreement has severely split the unity of our North Atlantic Treaty Organization allies; and

Whereas a majority of the citizens of our North Atlantic Treaty Organization allies favor an agreement characterized by no new deployments by either side and reductions in existing nuclear forces: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That in negotiating an arms control agreement with the Soviet Union, the United States Government should pursue the following objectives:

(1) A delay in the initial deployment of Pershing II and cruise missiles in Europe in return for a solemn Soviet commitment to negotiate the dismantling of a specified number of SS-20 missiles and all SS-4 and SS-5 missiles.

(2) Cancellation of the scheduled deployment of Pershing II missiles, and a significant reduction in the scheduled deployment of cruise missiles, if the proposed Soviet reductions described in paragraph (1) are incorporated into a treaty which would be initiated within six months.

(3) Foregoing the balance of the scheduled cruise missile deployment if the Soviet Union agrees to dismantle additional SS-20 missiles to the extent required to establish a rough balance between all North Atlantic Treaty Organization and Warsaw Pact intermediate-range nuclear force (INF) missile warheads, with both parties also agreeing to a mutual verifiable ban on further deployments of short- and medium-range missiles which can strike the territory of the opposing alliance.

(4) Combining the ongoing negotiations in Geneva on intermediate-range nuclear systems with the Strategic Arms Reduction (START) negotiations.

Sec. 2. Consistent with the objectives cited in the first section of this resolution, the United States Government shall delay for six months the deployment of Pershing II and cruise missiles in Europe if the Soviet Union signs an aide memoire with the United States which commits the parties to negotiations for mutual nondeployment of and reductions in their nuclear forces in Europe, with such negotiations to result in a treaty, to be initiated within six months, which would provide for the following:

(1) Cancellation of the deployment of 108 Pershing II missile launchers in exchange for Soviet dismantling of 108 SS-20 missile launchers, associated support equipment, and base facilities deployed west of 80 degrees East longitude and dismantling all remaining SS-4 and SS-5 missiles, launchers, and bases in this region, leaving 135 SS-20 missiles (with 405 warheads) within range of Western Europe.

(2) Reduction of the planned deployment of 116 United States ground-launched cruise missile launchers (with 464 warheads) to 60 such launchers (with 240 warheads), which would yield (with the inclusion of British and French nuclear forces) rough parity between all North Atlantic Treaty Organization intermediate-range nuclear force (INF) missile warheads and the reduced level of Soviet SS-20 warheads described in paragraph (1).

(3) A ban on the transfer of SS-20 missiles, launchers, and support equipment de-

ployed at bases east of 80 degrees East longitude to bases west of that same line.

(4) A freeze on further production and deployment of SS-20s, Pershing IIs, or any other intermediate-range ballistic missiles worldwide, a ban on further deployment of short- and medium-range ballistic missiles which can strike the territory of the opposing alliance, and a reinstatement for two years of the restrictions contained in the Protocol to the SALT II Treaty which prescribe deployment of ground- and sea-launched cruise missiles with a range in excess of 600 kilometers.

(5) Soviet reductions described in the preceding paragraphs of this section would be carried out before December 31, 1985, in accordance with an agreed schedule, for a total reduction of approximately 572 old and new Soviet intermediate-range nuclear force (INF) missile warheads, of which 324 would be SS-20 warheads. This Soviet reduction would be matched by the nondeployment by the United States of 332 Pershing II and ground-launched cruise missile warheads.

(6) The United States would retain the right to deploy, after December 31, 1985, a number of ground-launched cruise missile launchers sufficient to offset, in conjunction with British and French strategic systems and a ban on Soviet ground-launched cruise missile deployments, the remaining SS-20 launchers so as to establish rough parity in European intermediate-range nu-

clear force (INF) missile warheads; or in the alternative, the North Atlantic Treaty Organization would cancel scheduled long-range cruise missile deployments in exchange for a United States-Soviet ban on production and deployment of long range cruise missiles and Soviet destruction of additional SS-20's deployed within range of the territory of the North Atlantic Treaty Organization, leaving 162 SS-20 warheads to offset existing British and French nuclear forces.

Sec. 3. To enhance the durability of the arms control treaty described in this resolution, the United States and the Soviet Union should work with their respective allies to achieve, through the Conference on Disarmament in Europe (CDE) or other forums, a multilateral agreement on reductions in existing intermediate- and medium-range nuclear systems in Europe and a ban on the introduction of any new such systems into the region.

Sec. 4. The negotiations in Geneva on Soviet-American intermediate-range nuclear systems should be combined with the Strategic Arms Reduction (START) negotiations with the objective of achieving a comprehensive and verifiable United States-Soviet freeze on the testing, production, and further deployment of nuclear warheads, missiles, and other delivery systems, followed by major, mutual, and verifiable reductions in nuclear warheads, missiles, and other delivery systems.

#### INF RESOLUTION: SUMMARY

	Now deployed/proposed		First-stage reductions		Interim agreement, July 1, 1984		Second-stage agreement, Dec. 31, 1985	
	Launchers	Warheads	Launchers	Warheads	Launchers	Warheads	Launchers	Warheads
NATO INF Forces:								
British and French	162	162			162	162	162	(?)
Pershing II	108	108	(108)	(108)	0	0	0	0
GLCM	116	464	(56)	(224)	60	240	0	0
Total	386	734	(164)	(332)	222	402	162	(?)
Warsaw Pact Forces:								
SS-4/SS-5	248	248	(248)	(248)	0	0	0	0
SS-20	243	729	(108)	(324)	135	405	54	162
Total	491	977	(356)	(572)	135	405	54	162

#### DR. HUGH ADAMS TO RECEIVE GREAT AMERICAN TRADITIONS AWARD

**HON. E. CLAY SHAW, JR.**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

Mr. SHAW. Mr. Speaker, on October 29, 1983, Dr. Hugh Adams, the President of Broward Community College, will receive the Great American Traditions Award from the B'nai B'rith Foundation of the United States. It is difficult to imagine a more deserving or appropriate recipient.

The B'nai B'rith Association devotes itself to youth services; Dr. Adams has dedicated his life to giving our young people the values and knowledge needed to be productive members of society. He is a recognized leader in education in Florida. Under his leadership, Broward Community College has

become a highly regarded school and an invaluable community resource. He has served as vice chairman of the Governor's Commission on Quarterly Education, as well as becoming involved with international efforts to improve higher education. In that regard, he has served on the Commission on International Education Relations and has been on educational missions through Europe. In addition, he has been a Fulbright lecturer throughout the world including India, Kuwait, Israel, and Jamaica.

The B'nai B'rith Association is to be commended for making such an excellent choice for the Great American Traditions Award. Broward County can be proud of Dr. Adams.

#### LEGAL SERVICES CORPORATION DIRECTIVE AN AFFRONT TO DEMOCRACY

**HON. MERVYN M. DYMALLY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

Mr. DYMALLY. Mr. Speaker, I wish to express my displeasure, indeed my outrage, at a directive issued last month to the regional offices of the Legal Services Corporation by Joshua Brooks, Deputy Director of Field Services. His memorandum instructs the regional offices to "disenfranchise themselves of any contact with elected officials or members of the press/media." The same directive prohibits consorting with "special interest groups," engaging in "survival activities" or "network building."

The desire of the President to do away with the Legal Services Corpora-



tion is well known. He has recommended no funding for the Corporation in each fiscal year of his administration. The Congress has seen fit not to honor the President's desire to end this access to legal aid for poor people. In my opinion, it is quite clear that what the President has been unable to accomplish through the budget, he is trying to accomplish by memorandum. The idea that personnel in the regional offices and, presumably, the more than 1,100 neighborhood offices funded through Corporation grants, are barred from speaking to Members of Congress is abhorrent to me. Such a prohibition reflects disdain for us personally and makes it appear that those in elective office are, somehow, adversaries of the work of the Legal Services Corporation. In most cases, nothing could be farther from the truth. Much of the case work in my district offices concerns the needs of poor people, including their legal needs. I am sure that is true of many congressional districts in the country. Far from an adversarial relation, many of us rely on the cooperation of grantees of the Legal Services Corporation to help us meet the legal needs of our disadvantaged constituents. I resent having the top management of the Corporation attempt to cut off this cooperation.

I am equally appalled that personnel are prohibited from giving information to the press. It is likely that most elected officials have experienced the pain of receiving unfavorable reviews in the press. None of us, however, would react to that unpleasantness by disenfranchising ourselves from the news media. Like it or not, the press is a watchdog on all of us. We recognize the value of the press by guaranteeing the right of free speech and freedom of the press in our Constitution. There is something amiss when a memorandum is all that it takes to do away with freedom of speech.

It is worth reminding ourselves that the Legal Services Corporation was created because our Nation and its elected officials recognized that the poor were not receiving and would not receive equal treatment under the law without a mechanism such as the Legal Services Corporation. The goal of the Legal Services Corporation was to provide minimum access to legal services by poor people. It was determined that minimum access could be accomplished by guaranteeing 2 legal services attorneys for each 10,000 poor people. That goal was met in 1980 and 1981. Since then, funding has plummeted. Do we suddenly have fewer poor people? Have the poor suddenly become less in need of legal aid? The answer to those questions is not a simple "no." The answer is that the number of poor has increased since 1981, thanks in large part to the policies of this administration. The answer

is that the need of poor people to have access to legal services has increased as they face foreclosures on their homes, repossession of their property, and increased stress due to loss of their means of livelihood. The need for services has increased. Only the commitment of the administration to poor people has decreased. Provisions were built into the legislation creating the Legal Services Corporation that were supposed to keep it free of coercion by political forces. We did not foresee that the most dangerous source of coercion would come from within. ●

#### ARKANSAS IS A NATURAL

#### HON. ED BETHUNE

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. BETHUNE. Mr. Speaker, a year ago I devoted an entire week to a personal survey of federally owned lands within the Ozark and Ouachita National Forest. While I have always enjoyed a walk through the woods in Arkansas, my trip had a special purpose. During that week, I talked with people all over our State who might have a point of view about preserving a small part of our national forest lands as wilderness. You see, the people of my State are proud of the natural beauty of Arkansas, and they are also proud of our motto, "Arkansas is a Natural."

Since the early frontier days the forests, the streams, and the mountains of Arkansas have been a source of awe-inspiring wonder. We are indeed fortunate that around the turn of the century President Theodore Roosevelt was farsighted enough to realize that some of our lands must be preserved for the future generations. So, in Arkansas, we are blessed with two such areas, the Ozark National Forest and the Ouachita National Forest.

These two forests possess some of the most beautiful and unique geological formations in America and also serve as a national habitat for many types of wildlife, including several endangered species. But, unfortunately, I have discovered during my travel across the State that there is a declining amount of land suitable for designation as a wilderness under the definition that we must use. I know the Forest Service has managed this land in a multiple-purpose fashion, and that there is an argument that we must use and develop the timber in our national forests for economic reasons. But I also know that it is essential for man to have natural sanctuaries, which are unspoiled and undisturbed by harmful encroachments. Thomas De Quincey once said that the peace of nature and the innocent creatures of God seem to be secure

and deep only so long as the presence of man and his restless and unquiet spirit are not there to trouble its sanctity.

I certainly realize that man must harness the Earth's natural resources. That is both necessary and beneficial. But recognizing the need for economic growth need not be interpreted as an invitation to plunder or spoil our national forests.

That is why it is incumbent upon those of us in Congress to put forth wilderness proposals so there will be growth, but growth which will not overreach and thereby mortgage the future of generations to come.

To this end, I have introduced the Arkansas Wilderness Act of 1983, a bill which is quite modest in terms of acreage and one which I see as a good investment for the State of Arkansas.

Under my bill, 11 areas, less than 6 percent of our State's national forests, would be set aside as wilderness, which means that the Forest Service could not let anyone cut trees, dig mines, or build roads on the portions that we set aside. We are not taking land from private ownership, and the Forest Service will still have the right to manage the remaining 94 percent of the national forests as they do now.

That means economic development could go on in that 94 percent of the national forests, but 6 percent would be reserved as wilderness.

We have a broad base of support for my wilderness bill across our State, and I feel that the following partial list of civic clubs and interested groups which have endorsed this legislation makes a telling point:

The Arkansas Audubon Society, Arkansas Canoe Club, Arkansas Herpetological Society, Arkansas Native Plant Society, Arkansas Wildlife Federation, the Audubon Society of Central Arkansas, the Ozark Society, the Sierra Club, the League of Women Voters of Arkansas, the Arkansas Wild Turkey Federation, the Arkansas Muzzleloading Association, the Greater Little Rock Jaycees, the Greater Little Rock Chamber of Commerce, the Conway Chamber of Commerce, the Rogers Chamber of Commerce, Rogers Hospitality Association, the Mountain Home Chamber of Commerce, the Arkansas Industrial Development Commission, and the Metroplan Board of Directors.

Mr. Speaker, recently I had the grand opportunity to accept on behalf of Congress a collection of etchings and poems by one of Arkansas' most recognized artists, Susan Morrison. I am working out a dedication ceremony with the Library of Congress. But for now I would like to read a sampling of the poetry and to include the balance of the collection of poetry in the RECORD.

The first poem is entitled "Wilderness Remnants."

## WILDERNESS REMNANTS

Tiny Parcels of Earth  
 Still free from the Heavy Hand of Man  
 Hidden away  
 Tucked safely in secret valleys or atop in  
 accessible mountains  
 More real than anything we know  
 They seem a dream  
 Lost in the memory of a time when these  
 were the only surroundings of man  
 Today . . . Remnants  
 Tomorrow . . . Legends to be told . . .  
 To unbelieving Children

Then another one that I am particularly fond of, because it concerns the wilderness area situated in my district, the Second District of the State of Arkansas, in Saline and Perry Counties, is entitled "Flatside Wilderness."

## FLATSIDE WILDERNESS

I gaze across this awesome space seeing the  
 scarred and crooked face of your  
 mountain  
 I sense your sorrow  
 But south breezes sing songs of happiness  
 swirling thru your forest catching the  
 leaves of your fallen trees in their  
 midst and winking the warning of winters  
 reality away  
 Maybe the softness of this time is the promise  
 of a destiny less severe and a respite  
 from too many years lost in harsh  
 realities  
 The souls of your brothers lay bare beside  
 you stripped to the bone of their  
 proud flesh their children dead or  
 driven away  
 But voices of friends cry out for your protection  
 and on this funny warm winter  
 day I sense you knowing that there is  
 still hope for you  
 We will pray for it together . . .

Mr. Speaker, what more can be said? I hope and trust this House will join me in setting aside less than 6 percent of our national forest land and wilderness so that it will be protected for our children and for our children's children. If we do not, they may one day ask us why we ever said "Arkansas is a Natural." ●

## MULTIPLE OWNERSHIP RULE

## HON. MICKEY LELAND

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. LELAND. Mr. Speaker, I am pleased to introduce today in conjunction with Mrs. COLLINS, Mr. MITCHELL and several of our colleagues legislation to impose a 5-year moratorium on any effort by the Federal Communications Commission to repeal its multiple ownership rule, commonly referred to as the 7-7-7 rule.

On September 23, 1983, the Federal Communications Commission issued a notice of proposed rulemaking in which it proposed to eliminate or modify the 7-7-7 rule. The present rule limits ownership by any one entity to seven AM radio stations, seven FM radio stations and seven television stations, only five of which may be VHF stations.

The 7-7-7 rule has been a mainstay of FCC policy for over 30 years, and is designed to assure that the ownership and control of broadcast facilities is spread among a diverse population. Because the broadcast industry is such a powerful medium of mass communications, the courts, the Congress and previous FCC administrations have consistently viewed the ownership and control of broadcast outlets by diverse segments of society as an important means of protecting the first amendment rights of all Americans. The goal of the 7-7-7 rule is to assure that there are enough different voices presenting information and editorial comment so that all points of view and interests are represented over the airwaves.

If carried out, the proposed elimination of the 7-7-7 rule will seriously undermine the efforts of hispanic, blacks, and other minorities to increase their present low level of ownership of broadcast facilities. The elimination of ownership limits will encourage the larger owners of broadcast facilities to expand their ownership interests and will probably result in mergers of several of those group owners. The consolidation of station ownership into fewer hands will work to reverse the diversity of viewpoints the 7-7-7 rule has fostered. In addition, the consolidation of station ownership into large corporations will place smaller station owners at a further competitive disadvantage. A small station owner or single station will not have the financial resources to spend for promotions and advertising on a scale equal to that of a large group owner. Therefore, the small station owner can expect to see his or her ability to compete against large corporations coming into the local market eroded. Similarly, in bidding to purchase additional stations, the small station owner will face increased price competition from larger corporate entities. This is especially significant for minorities because prices for broadcast facilities in the large urban areas, where most minorities reside, are already prohibitive for all except a few minority owned corporations.

In justifying its decision to institute a reconsideration of the rule, the FCC noted the emergence of new technologies, which theoretically, will contribute to diversity in the electronic media. While the day may come when new technologies will provide options for the American viewing public, that day certainly has not yet arrived. Many of the new technologies, such as multichannel MDS, direct broadcast satellites and low power TV are not available currently to any appreciable audience. Similarly, cable television, the most widely available of the new technologies, reaches less than 40 percent of American households. Moreover, the largest corporate entities in

the broadcasting industry, including the networks, are also prominent players in the new technologies, particularly cable. Allowing the large broadcast groups to increase their involvement in the new technologies, while simultaneously increasing the concentration of ownership in the broadcasting industries, clearly will not contribute to a diversity of information sources for the American public. When the new technologies are generally available, and if at that time, there is true diversity in the electronic media, reconsideration of the 7-7-7 rules might be appropriate. In light of the existing situation in the communications industries, however, repeal or reconsideration of the rule is not appropriate at this time.

In short, the proposed elimination of the 7-7-7 rule will substantially reduce the access of the hispanic, black and other minority communities to the ownership and control of broadcast facilities, reduce the accountability of broadcasters to their local audiences, and will permit the continued consolidation of the control of the electronic media in the hands of a few large corporate entities. I urge my colleagues to consider sponsoring this bill. ●

A TRIBUTE TO OUR NATION'S  
BLACK INSTITUTIONS OF  
HIGHER LEARNING

## HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. RANGEL. Mr. Speaker, I rise with great pride to commend our Nation's black colleges and universities in their pursuit of academic excellence.

In 1854, the founders of Lincoln University removed a major obstacle on the road to equality for blacks in America. Setting the groundwork for our Nation's first black university, they recognized the power of knowledge in an era when blacks were denied the full benefits of the American dream.

The traditional dedication of our Nation's black academic institutions to improve the lot of black Americans was a spiritual as well as intellectual struggle. This battle for nationwide recognition and acclaim has been fought long and hard. These great institutions have endured, from the time when the original foundations were laid by Booker T. Washington, through the turbulence of the 1960's, and on into the economic and electoral issues of the 1980's. They successfully tapped into one of our country's great hidden resources—the potential insight and creative energy of our Nation's black youths.

The superior academic standards and leadership of these colleges and



universities have equipped their graduates with the skills necessary to meet the changing needs of our society. In turn, these men and women have excelled as leaders in their respective fields, serving our great Nation as responsible and productive citizens.

Standing as tall and proud as their students, these fine institutions continue to strive for academic excellence, not only for our society but all human-kind. ●

## A BLOCK IN CHELSEA

### HON. TED WEISS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. WEISS. Mr. Speaker, the borough of Manhattan in New York City, part of which I have the privilege of representing in Congress, has a popular image that does not always accurately portray the daily lives of the people who call it home.

I would like to share with my colleagues an article published in the September 29 New York Times about one of Manhattan's neighborhoods, Chelsea, on the lower West Side. In focusing on the activities of the merchants along Eighth Avenue between 17th and 18th Streets, the Times' story provides insight into the lives of the people whose devotion to their urban neighborhood turn it into a true community.

I commend to you a superb and illuminating piece of journalism.

The article follows:

[From the New York Times, Sept. 29, 1983]

#### A BLOCK IN CHELSEA: STORE OWNERS GIVE NEW YORK THE HOMETOWN TOUCH

(By Suzanne Daley)

Early in the morning, when only the garbage and mail trucks rumble up Eighth Avenue, all the stores and restaurants between 17th and 18th Streets are closed.

In those hours, the block presents an almost unbroken stretch of crisscrossed metal gates pulled across the sign for Italian ices in the window of the pizzeria, across the leather jacket on the mannequin in the men's clothing store, across the bold posters in the Chisholm-Pratts Gallery.

It looks that way for only a short time, barely two and a half hours. Even before the rush-hour traffic clogs the avenue, the griddle will be warming in Augie L. Rettino's coffee shop, the Commissary. For others on the block, the working day won't end until 4 A.M., long after most people are in bed.

This block, on the west side of the avenue, is not different from hundreds of others in this city of an estimated 40,000 storefronts. Behind the facades, behind the antique clocks and copper pots in the window of Chelsea Place and the cactus plants in the window of the Eighth Avenue Record Store, are men and women who have struck out on their own, often risking life savings and years of debt to work for themselves.

Their is small enterprise, never trumpeted in glossy quarterly reports. But it is their

presence—their hellos and their willingness to save the last copy of magazine for a customer they know wants it—that helps people at home in this city.

The decisions they make—to redo the facade, to carry a brand of blue jeans, to let go a good but smart-lipped worker—contribute to the fabric of every New Yorker's life, from the feel of a walk down the street to the ability to find aspirin in a hurry.

The owners of the stores and restaurants on this block, like other blocks, do not punch a clock or play office politics or fear being dismissed. But they have fears just the same. They will agonize over whether to extend a counter top or invest in new air-conditioning or replace the chef, and their choices added together will determine their survival.

In different ways, they are reminded every day that they are surrounded by a neighborhood slowly being transformed by forces at work in other parts of the city, too. North of Greenwich Village, Chelsea stretches from 14th to 34th Streets, from the warehouses that line the edge of the Hudson River to Fifth Avenue. Here, rows of elegant 19th-century town houses mingle with tenements and manufacturing-only zones. Lately, the neighborhood has seen run-down buildings turned into luxury cooperatives. Rents are skyrocketing and new shops proliferating.

On this block, as autumn begins, Max Draisner is facing retirement if he cannot get an affordable lease for his record store. Pat Rogers and Bob Barbero, who just opened their first restaurant, are hoping they will still be there next year. Joan and Giancarlo Santini, after nine years of running a successful restaurant, are trying to keep it that way. They and a half-dozen others share this same stretch of pitted sidewalk in Chelsea.

At about 6:30 A.M., the waiters and waitresses begin to congregate by the entrance of the Commissary coffee shop, exchanging news of last night's parties and waiting for the manager to unlock the padlock, roll up the gate, pick up the bag of fresh rolls and open the front door.

Then, in the almost total silence of routine, one of them will start pulling the upside-down chairs off the laminated tables and putting out ashtrays, silverware and paper napkins. Someone will take a crate of orange juice from the walk-in refrigerator in the basement. Someone will start making coffee. It is just about that way seven days a week.

At about 7 A.M., the first customer will come in. On one day, it is an elderly man holding a copy of newspaper with a headline that reads, "Mermaid Family Found in Pacific."

"Good morning," the waitress says, as the man takes a seat at the counter. "Want coffee this morning?"

"Please," he replies, not looking up from the paper.

Sometimes, Augie Rettino, the owner, will be here at this hour, but two weeks a month he takes the night shift instead, working from 3 P.M., until after the midnight closing. Someday, Mr. Rettino would like to go to Europe. He would also like to stand on the edge of the Grand Canyon, and he would like to press his belt buckle against a redwood tree and look up.

These are his dreams. They might distract him for a few seconds from the business of fixing a jammed toaster or ordering a new larger hamburger roll, but he cannot afford them right now. Mr. Rettino has owned the

Commissary only since May, and there are debts to pay. "Maybe next year," he says.

The 99-cent records in cardboard boxes go on the sidewalk on top of folding tables when the Eighth Avenue Record Store opens, at 10 A.M.

In the window of this shop, there is a collection of cactus plants, some tall and skinny, some short and fat, all spiky and dusty. Inside, there is barely room to pass in aisles, because records are everywhere, in shelves and cardboard boxes and just plain stacked.

Max Draisner, who has run this store for some 20 years in one or another spot in Chelsea, does not believe in organizing the records. Customers would have to pay for that, he says. He does believe in talking, though. Music in general and the poor treatment of some opera singers in particular are favorite topics.

"Now, what would you do if you were her and they asked you to sing 'The Merry Widow'?" he was saying the other day to a customer. "You'd quit, wouldn't you?"

"Absolutely," agreed the young man, before buying four records.

These days, Mr. Draisner, who is 68 years old, has an uncertain future. His lease is up and he cannot find a new spot that he can afford, he says.

"I don't know what I would do without you," said Linda Cummins, who came in to cash a check the other day and asked how things were going. "He always helps me out. I have a bad leg, and this way I don't have to stand in line at the bank. Besides, he has a friendly face and the bank doesn't."

"Physically, I know this doesn't look like Fifth Avenue," Mr. Draisner said, looking around his shop. "But is it that bad?"

The stereo is blasting rock-and-roll as early as 7 a.m. inside Chelsea Place, a restaurant hidden behind an antique store. The maintenance crew is at work, vacuuming the floors and stripping the bar of its bottles in order to clean the shelves.

Chelsea Place, a labyrinth of rooms to eat and dance and listen to music in, was started nine years ago by Giancarlo and Joan Santini with \$4,000. At first, the store was plants and antiques and Mr. Santini's vision of things to come. Little by little, it expanded.

At about 8 a.m., Mrs. Santini arrives, these days mostly to supervise. "Because we started the way we did, we are in a constant state of mending," she says, her eye catching a stained-glass window that needs to be repaired or a wrought-iron gate that needs dusting. "We bought a lot of things at auctions and we didn't have the money to retille everything. We're constantly replacing things."

"Tony, tomorrow we'll pull the refrigerator from the wall and clean that. O.K.?" she says, inspecting the bar. "You did the inside, right?"

In the afternoon, she goes home, and Mr. Santini comes in. He stays until closing at 4 a.m. "Sometimes," Mrs. Santini says, "practically all we say to each other is 'Hi' and 'Bye' for a week."

Six days a week, Henri La Barbera opens his walk-in pizzeria on the corner of 17th Street and Eighth Avenue, turning up the huge oven that is never shut off because it would take too long to heat up again.

He takes out the cheeses, the dough and the sauce he makes himself—"None of that canned stuff"—and with quick, efficient movements, he pushes, twirls and pulls the dough into shape, ladles sauce across the top of it, throws in a touch of spice and

handfuls of cheese. He has a pizza made and ready for the oven in about three minutes.

"This store is like paradise to me," Mr. La Barbera says as he deposits the pizza in the oven. "The people around here are good."

Summer was the slowest season for Mr. La Barbera's business, he says, because most of his customers—students at nearby schools—are not around then.

"To tell you the truth, I don't mind these kids," he says. "Sometimes the problem with adults is they forget what it was like to be kids. Some of the kids, the way they act, I would have done that, too. Like in the winter. People around here get mad because of snowballs. I put the gates up and I hope the snowballs don't go through the window. Kids are kids, right?"

In what used to be a pawnshop, Pat Rogers and Bob Barbero in August opened their first restaurant. The chandeliers are Art Deco, the bar is handmade and topped with green marble, the floor is pale maple.

The business is still too new for a real routine. But by 8 a.m., Mr. Rogers might be found in the walk-in refrigerator organizing the food. Hands in the fresh herbs, he will inhale the mint and say: "Smell that. There's nothing like it."

Mr. Barbero will be running to the bank or cleaning the front window with paper towels, getting ready to open for the lunch crowd, which is still sparse these days.

There are dozens of decisions still being made every day and the delicate finances of a new restaurant to figure out. Back in their pale gray office the other day, the partners were ordering cards for reserved tables and going over a new wine list when the telephone rang.

"Rogers and Barbero, hello," said Mr. Barbero. There was a pause, and a slow smile spread over his face.

"Yes, we are open for lunch," he said, "at noon."

Beside him, Mr. Rogers pantomimed a squeal of delight.

Often Antonio Gonzalez arrives at work early, an hour or two before Transworld Cosmetics, a discount drugstore, opens at 9:30 A.M. He sits at the desk in the back room figuring prices on a calculator or taking inventory and paying bills.

His wife, Silvia, arrives later to work the cash register. For her, it is a 10-hour working day. For him it is often 12. Usually they eat lunch in the back room in the afternoon, when Mr. Gonzalez's sister, Jorgelina Del Campo, comes to help out.

The Gonzalezes came to this country from Cuba more than 10 years ago.

"I love the freedom here," Mrs. Gonzalez says. "I love my country, because it is where I was born. But I love this country, too, because it took us in."

Mr. Gonzalez has more trouble than his wife speaking English. She teases him about it sometimes, but says: "He has never had time to study. Always he was working since we came."

The Gonzalezes have two children, a son who is studying to be an electrical engineer and a daughter who wants to go to dental school when she graduates from New York University this year.

The children help in the store on Saturdays. "They are good children," says Mrs. Gonzalez.

At night, the neon signs for beer glow in the two small windows of the Nuevo Ebro bar, lighting the peeling white wood shingles and the small red roof that make up the storefront.

Carmen Quiro, who has been the owner for nine years, is, like Max Draisner, worry-

ing about her future these days. Her lease is up Nov. 1.

Most days, her sister, Millie Leston, opens the bar at about noon. Mrs. Quiro comes in at night and stays until closing.

Having a drink at the Formica-topped bar, Mrs. Quiro does not seem angry about losing her business, only resolute.

"I do not know what will happen," she says, raising her voice slightly to be heard over the salsa music coming from the jukebox. "All the rents are too high. It's rough."

Above her head the bar is decorated with a huge sign reading "Happy Birthday." All around the room are streamers tacked in loops punctuated with balloons that have wilted to the size of apples.

The party was a couple of weeks ago. "One of the customers," Mrs. Quiro says. "We had a little party, a little cake."

Officially, Alan Sasson's men's clothing store, Pyramid, opens at noon. But with a sheepish smile, Mr. Sasson tells all inquiring customers that they should not come precisely at that hour, because he "sometimes runs late."

"I make it as easy as possible," Mr. Sasson says about his business. "I'm not a hustler trying to get every last buck. But somehow I made it."

So, on most days it is some time after noon, that Mr. Sasson opens the store, unlocking the two padlocks, flipping on the lights and the radio. There are usually some deliveries to be logged into a book, some shelves full of merchandise to be straightened. But mostly he waits for customers.

They trickle in, some intent on an item, others only looking. Mr. Sasson will approach each one, saying, "Hello," answering questions about prices, trying to strike a balance between help and interference. In this, Mr. Sasson, a boyish-looking 40, is both diplomat and stand-up comic.

To a man who tried on pants that were too tight the other day, Mr. Sasson tactfully said, "Those do run a little small."

To another who tried pants that were about six inches too long, he said, "You can either shorten them a bit, or wear high heels."

When a customer asked if a shirt would shrink when washed, Mr. Sasson said that he did not know, that he dry-cleaned his shirts these days.

"I used to be into the wrinkled look," he said. "I would just throw everything into the machine together. Now I'm trying to fight wrinkles, at least around the eyes."

Inside the Chisholm-Prats Gallery, the walls are stark white, decorated only with the flashes of color that are antique lithograph posters.

Robert Chisholm and Lucas Prats opened the gallery last December, and theirs is perhaps the most relaxed working day on the block. Sometimes, the day goes by without a sale, although there are always people peeking in or passing through, satisfying their curiosities.

"I get great enjoyment out of it, even if they don't buy," Mr. Chisholm says. "It actually frustrates me when people walk by and they aren't taken by something in the window. I wonder why they don't see what I see."

Mr. Prats may be in the back room, picking out frames or deciding whether to back a certain poster with linen this week.

"It's not like most businesses, where people come in and out all the time, and it's noisy," Mr. Prats says. "This is quiet. At 3 o'clock, we might close for 45 minutes and go have lunch."

"If you can say that there are some people who are lucky and that others are unlucky, then we are the lucky ones." ●

## COLUMBUS DAY

HON. GERALDINE A. FERRARO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Ms. FERRARO. Mr. Speaker, I will be celebrating Columbus Day this Monday in New York. This is a very special day for New York since we were the first State to observe the anniversary of Columbus' epic voyage of discovery. New York has celebrated a day in honor of Christopher Columbus for 191 years.

Of course, this is also a very special occasion for Italian-Americans. Some 85,000 Italian-Americans live in my district in Queens and I am proud to count myself among their number.

It took the vision and courage of a 41-year-old native of Genoa, Italy, setting out from Spain in three tiny ships 491 years ago, to discover on behalf of all Europe this New World in which we live today.

Millions of Italians, and millions of other people from all parts of the world, have followed Columbus' path across the seas. As an Italian-American, I take special pride that more than 30 of my congressional colleagues are of Italian descent.

Had it not been for Columbus, perhaps none of us would be here today. But had it not been for Queen Isabella of Spain, Columbus may have been unable to make his voyage into the unknown.

Without the faith and funds provided by Queen Isabella, without her belief in Columbus and willingness to take a chance, the voyage of the *Nina*, the *Pinta* and the *Santa Maria* may never have taken place.

In recognition of the vital role of Queen Isabella, I am planning to introduce a resolution which would proclaim next April 22, the 533d anniversary of the birth of this noble woman, a day of national honor for Queen Isabella.

I hope next year we will honor both the brave Italian sailor and the far-sighted Spanish Queen who together opened up the New World. ●

## FIRE SAFETY—REPLY TO ELIZABETH McLOUGHLIN

HON. THOMAS J. BLILEY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 1983

● Mr. BLILEY. Mr. Speaker, at the March 21, 1983 hearing on H.R. 1880, the Cigarette Safety Act, the Subcom-



mittee on Health and the Environment heard expert testimony for Philip S. Schaenman, a former Associate Administrator of the U.S. Fire Administration in charge of the National Fire Data Center.

Mr. Schaenman presented some interesting data on European fire protection practices which should serve to raise questions about the wisdom and value of a single legislative approach to solving the complex fire problem solely by regulating one aspect of it, namely the cigarette.

Since Mr. Schaenman testified on behalf of the Tobacco Institute, it is only natural for his study to be criticized by a supporter of H.R. 1880. And so it was in a letter that appeared in the CONGRESSIONAL RECORD of June 21, 1983.

In the interest of full, fair debate and discussion, I believe that Mr. Schaenman's reply to that criticism should also be printed for the information of Members who, up to this time, have had the opportunity to hear only one side.

REPLY OF PHILIP S. SCHAEINMAN TO ELIZABETH McLOUGHLIN REGARDING INTERNATIONAL FIRE PROTECTION STUDY

On June 21, under Extension of Remarks, the "Congressional Record" carried a letter from Elizabeth McLoughlin commenting on a study that I completed recently, entitled "International Concepts in Fire Protection." I agree with several of the points that Ms. McLoughlin made in her letter—especially her suggestion that additional research could improve our understanding of why the fire death rate is so much lower in Europe than in the United States.

Taken as a whole, however, Ms. McLoughlin's comments constitute a disservice to fire prevention efforts and require a response. Specifically, her suggestion that fire prevention officials in the United States should not attempt to learn from the European experience, or adopt fire prevention practices that have worked well in Europe, until a more definitive international statistical analysis is possible, is both parochial and short-sighted. Her view is not shared by the overwhelming majority of professionals in the firefighting community who are familiar with the European and U.S. situations. Equally distressing is Ms. McLoughlin's simplistic discussion of a legislative solution to accidental fires involving cigarettes. She does not address the public health issues concerning the higher "tar" and nicotine levels that are associated with "self-extinguishing" cigarettes. She also ignores the technical fire science issues concerning whether practical "self-extinguishing" cigarettes would have significantly less propensity to ignite fires.

I would like to elaborate on these points and to correct a number of Ms. McLoughlin's comments that are misleading and, in some instances, simply wrong.

Here are my specific concerns.

#### STUDY FINDINGS AND INDEPENDENCE

I began to investigate reasons for the marked differences in the accidental fire rates between the United States and Europe while I was at the U.S. Fire Administration. Most of the major findings contained in my recent study were described in a series of trip reports that I wrote in 1979-1981. The

Fire Administration did not have sufficient resources, however, to permit me to complete my investigation. I was pleased when The Tobacco Institute agreed to fund the completion of my research.

Despite The Tobacco Institute's support for my work, I was free to report what I found—and I did. No effort was made by anyone associated with The Institute to direct my research or to influence my findings. Thus, it is misleading to say that the study was funded by The Tobacco Institute in a way that could be interpreted to mean that it was The Institute's study. The Tobacco Institute funded only part of the study, although that certainly should not be construed as belittling its contribution.

It is of course understandable that those advocating "self-extinguishing" cigarette legislation would attempt to minimize the study's significance by raising questions of bias. I can assure you that the study report was as accurate and objective as I could make it under any sponsorship, with one exception. I did delete one piece of information from the report because I thought that it might appear to be too favorable to the tobacco industry, and the information was difficult to substantiate. Specifically, in none of the countries that I visited did there seem to be the slightest interest within the fire research or firefighting community in requiring cigarettes to be "self-extinguishing." That was true even in France, where the government has a monopoly on cigarette manufacturing.

As best I could gather, the philosophy in most countries was that many hot objects can cause fires, including cigarettes, matches, fireplaces, electrical appliances and heaters, and that people should be trained to exercise reasonable care. At the same time, professionals within the European firefighting community tend to believe strongly that products should be designed so as to be safe when used or handled as intended by people employing reasonable care—and that people who fail to exercise care should be "punished" by law, by withholding insurance benefits, or through public opinion.

#### REVIEWS OF THE STUDY

"International Concepts in Fire Protection" has been reviewed by many fire professionals in Europe (principally for accuracy) and in the United States (for relevance as well as accuracy). The reviewers have included researchers at the National Bureau of Standards' Center for Fire Research and the U.S. Fire Administration, state and local fire officials, and private sector fire protection professionals here and in Europe. The overwhelming majority of the reviews have concluded that the report was on target and highly relevant. In fact, I have received no negative comments other than Ms. McLoughlin's, save for minor corrections.

The following excerpts from some of the letters received convey a sense of the reaction of fire protection specialists to the international study:

"... May I express the FPA's [British Fire Protection Association's] admiration for [Mr. Schaenman's] presentation of the subject" ... The European countries will welcome the opportunity to learn from this material and will greatly benefit from it. ... C. Douglas Woodward, Director, British Fire Protection Association, April 26, 1983.

"I acknowledge receipt of your excellent study of fire protection in Europe." ... In my opinion you understood the behavior and attitude of European people very well

and gave an excellent report on European philosophy in fire protection." Chief Manfred Gebhardt, Hamburg, Germany, January 31, 1983.

"It is with the greatest interest that I have read [International Concepts in Fire Protection] which, in my opinion, is very valuable because it presents an articulate synthesis of the achievements of the various European countries." ... [The Direction de la Securite Civile Francaise will use it in order to improve French regulations." ... [His study is remarkable." M. Marcel Flutre, Civil Administrator/Director of the Cabinet, Ministry of State and of Decentralization, Paris, France, January 28, 1983 [translation].

Many leading fire and safety publications have reprinted portions of the study verbatim or published major articles derived from it, including: National Safety Council, School Safety World Newsletter, Spring 1983; Product Safety and Liability Reporter, March 4, 1983; Prometheus Report, April 1983 (a publication for fire prevention specialists); Fire Chief Magazine, May 1983 and September 1983; Fire Engineering Magazine, August 1983;

Firehouse Magazine, September, 1983; Fire Magazine, August, 1983 (a leading British fire publication).

Representative comments from fire prevention specialists in the United States include the following:

"In the May, 1983, issue of Fire Chief Magazine you published an article entitled, 'America's burning, why isn't Europe?' by Philip Schaenman. For many years we have discussed the difference in loss statistics between our country and others. Oftentimes we have used statistical analyses and comparisons or spoken purely in regard to the philosophy of one country or another. Mr. Schaenman has made a nonstatistical plain-language comparison between our country and several others. His article reveals in simply terms many of the philosophical differences and varying results.

"The information contained in this article is extremely pertinent today and should be thoroughly understood by every citizen in our country, and especially by every member of the American fire service. We are often hesitant to commit our limited resources to a prevention effort for fear that we will not have adequate suppression resources when a serious fire does occur. The bottom line is that the only way to significantly reduce fire losses today is to reduce the incidence and severity of fire." Chief Charles E. Cribley, Executive Secretary, State Fire Safety Board, Michigan, May 24, 1983. Letter to the Editor of Fire Chief Magazine.

"I have just finished reading your report 'International Concepts in Fire Protection' and thought that I would drop you a line and congratulate you. I found it extremely interesting and informative." Chief John J. Hart, New York, New York, March 14, 1983.

"Thank you for sending 'International Concepts in Fire Protection.'" ... [It] highlight[s] very stark, objective differences in the U.S. approach to fire protection. These differences, I am sure, contribute to our dubious leadership role in annual losses. ... Unless you consider it inappropriate, I would like to reproduce the executive summary for my staff officers. It will give them another perspective on our local needs and direction." Chief Harry E. Diezel, Virginia Beach, Virginia, February 23, 1983.

"... I agree with you that attitudes, awareness and heritage form an important

part of the culture in Europe that is an element of the success in [their] fire prevention program.

"I found a similar situation in Japan and other Asian countries that I have visited. As a former Fire Marshal, I am convinced that education is a key to changing attitudes in the U.S. and creating a higher level of awareness of the fire problem. We have been expanding our educational program and are involving our fire suppression personnel more and more into prevention programs.

"Your report is a valuable and useful document \* \* \*," Chief Emmet D. Condon, San Francisco, California, April 4, 1983.

Also, The National Fire Academy is using the report in its Executive Development classes.

#### USE FOR POLICYMAKING

Comments from the European fire community professionals who have written or spoken to me about the report confirm the report's essential accuracy. They, unlike Ms. McLoughlin (who seems unfamiliar with the European fire situation), have understood the intent of the report: to suggest ideas—in an interesting, nonstatistical manner—that might help us improve our relatively poor accidental fire record. Although I am a systems analyst by training and have spent much of my career analyzing fire data, I have found that a report that emphasizes insights and lessons often is more effective than one depending solely on statistical correlations, which in any event do not prove causality.

Ms. McLoughlin's suggestion that the formulation of public policy in this, and presumably other, areas should await the development of precise data is an invitation to institutional paralysis. The data that would be needed to link with precision the European fire experience, by cause, to specific prevention policies do not exist except for isolated studies, and are not likely to exist soon. Surely, wise public policy does not demand that we sit on our hands until "perfect" data have been obtained.

#### LEADING CAUSES OF FIRE DEATHS

We have known for a long time that Europeans have been able to reduce the incidence of accidental fires and fire deaths far below the levels existing in the United States. Contrary to what Ms. McLoughlin says, we also have known that the leading causes of fires and fire deaths in Europe and the United States are basically the same. I did not have to restudy the "distribution of ignition sources, consumer product ignitions, or structural involvement," as Ms. McLoughlin suggests is needed. At the same time, I did include in my study information concerning all three of these areas. Rardin, et al., of the Georgia Institute of Technology did what could be done with the existing statistics on consumer products and other possible correlatives several years ago and found only weak correlations, as did Ms. McLoughlin. Given the available data, little additional work seems warranted in this area.

Contrary to what Ms. McLoughlin asserts in her letter, I did attempt in my study to isolate the European approaches for dealing with our leading causes of fire. In fact, my study report presents almost nothing but safety practices that address our leading categories of fire. The report notes, for example, the following approaches for the leading causes of accidental fire deaths in the United States:

Smoking—Public education, upholstered furniture standards, home design to reduce smoke movement.

Heating—Public education, code enforcement, chimney sweeps.

Cooking—Public education, government safety testing of appliances.

Electrical distribution—Public education, stronger codes and code enforcement.

All of the above—Court fines for carelessness, insurance not paid for full loss, social pressure.

Although Ms. McLoughlin wanted a report organized by cause, I elected to organize my report by prevention approach because I found that the most promising approaches applied to multiple causes. In addition, it was apparent that some approaches would be especially relevant to some readers, because of their backgrounds, while other approaches would have special relevance to others. That has, in fact, proven to be the case. Public educators have tended to pick up on the education portion of the report, the insurance industry has tended to concentrate on the insurance section, and so forth.

#### REGRESSION ANALYSIS OF FIRE DEATH RATE VERSUS TOBACCO CONSUMPTION

The regression analysis contained in Ms. McLoughlin's letter is almost a textbook example of how not to use statistics in making public policy. First, a regression analysis does not imply a causal relationship, contrary to suggestions in Ms. McLoughlin's letter. Second, Ms. McLoughlin's conclusions are not statistically significant by the usual test (i.e., at the .05 significance level) applied by statisticians. In fact, the slope of the regression line plotted by Ms. McLoughlin could even be negative at the .05 significance level (i.e., there is a chance that the data she focuses on could support a conclusion diametrically opposed to the conclusion she reaches).

Third, one does not have to be a statistician to see that cigarette consumption cannot explain the enormous difference in fire deaths between the United States and, for example, Great Britain. The British "pie chart" for fire causes looks very similar to ours, but at half our rates. Indeed, the British Fire Protection Association analyzed cigarette-related fire deaths versus tobacco consumption, using the regression approach lauded by Ms. McLoughlin, and found no statistical correlation.<sup>1</sup>

Here is the relevant United States data for the last five years:

	1977	1978	1979	1980	1981
U.S. cigarette consumption: (billions of cigarettes) <sup>1</sup>	617	616	622	632	640
U.S. fire deaths: <sup>2</sup>	8,500	8,100	7,800	7,600	7,600

<sup>1</sup>U.S. Department of Agriculture, Economic Research Service, Tobacco Outlook & Situation, June 1982.

<sup>2</sup>U.S. Fire Administration, FEMA, estimates.

The data show that as the amount of cigarettes smoked increased, the fire death rate decreased. What would Ms. McLoughlin conclude? That we should increase smoking to decrease fire deaths?

Let's do the next step she suggests: compare smoking-related fire deaths with tobacco consumption:

<sup>1</sup>See attached correspondence from FPA to Philip S. Schaeffer, dated October 12, 1982.

	1977	1978	1979	1980	1981
Smoking-related fire deaths: <sup>1</sup>	2,156	1,979	2,258	1,894	2,144
U.S. cigarette consumption: (billions of cigarettes) <sup>2</sup>	617	616	622	632	640

<sup>1</sup>Estimates based on Fire in the United States, U.S. Fire Administration.

<sup>2</sup>U.S. Department of Agriculture, Economic Research Service, Tobacco Outlook & Situation, June 1982.

As you can see, there is no correlation there either. Obviously, understanding smoking-related fire deaths is a lot more complex than Ms. McLoughlin suggests.

#### IMPROVED INTERNATIONAL DATA NEEDED

I do agree with Ms. McLoughlin that the data needed for more rigorous international studies should be sought. I have been working toward this end for six years and recently was one of two United States representatives at the first meeting in March 1983 of the World Fire Statistics Centre in Geneva, Switzerland. This organization will attempt to collect uniform data from different nations.

Some European countries, such as Britain, have excellent national fire cause statistics. Others, such as Switzerland and West Germany, do not have national fire data systems at the present time. Thus, some countries can be studied in detail while others cannot. Data for some individual large cities and other geopolitical units (e.g., provinces or cantons) are also available for study.

However, even if current European data on fires and fire deaths by causes were more uniform and complete, one still would want to know how they arrived at their present, relatively good safety position—which was the focus of my study.

#### PURPOSE OF TESTIMONY

I did not come to the Cigarette Safety Act hearings to testify against "fire-safe" cigarette legislation but rather to present information on the European approach to achieving fire safety, including smoking-related fires. I previously gave similar testimony to the House Science and Technology Subcommittee, at their request, in connection with reauthorization hearings for the U.S. Fire Administration and the Center for Fire Research at the National Bureau of Standards.

I am strongly in favor of a bill that would produce a credible analysis to determine if it is possible to design a cigarette that will reduce the chances of ignition without doing more harm than good in terms of health and safety. I am strongly opposed to requiring the tobacco industry to manufacture "self-extinguishing" cigarettes without assurance that this action will not precipitously raise "tar" and nicotine levels and that the performance specifications are ones that have been demonstrated to reduce the incidence of fires. Ms. McLoughlin has not bothered even to address those issues.

#### EDUCATION EFFECT WHEN INTOXICATED

Cigarette-related fire deaths often involve someone intoxicated who drops a cigarette on upholstered furniture or bedding, as Ms. McLoughlin states in her letter. That also is true in Europe. When I inquired of Europeans how they approach the problem of intoxicated fire victims, they said that while it remains an important part of their fire problem, they have found that public education can be partially effective. At the same time, the British have opted for smolder-resistant furniture.

#### CONCLUSION

While there is much more to be learned about the European fire experience and



October 7, 1983

## EXTENSIONS OF REMARKS

27943

that of other nations, there is little question that the European emphasis on fire prevention has been a major factor in reducing their fire incidence and fire death rates, and in keeping them low.

With respect to smoking-related fires, we should continue to examine the cigarette itself to see if it can be made more fire safe without negative side effects that over-

shadow the intended good. As I view the available technical data, the technology is not there at the present time. Most people in the fire service currently backing "self-extinguishing" cigarette legislation are backing the concept of reducing deaths from smoking-related fires; to date, unfortunately, few have had the opportunity to hear the technical knowns and unknowns

about the issue. Most of those I know who have seen the data—including myself—have changed positions.

Many proven techniques are available now to reduce the fire problem in the United States. Failing to take advantage of those approaches, while waiting for "perfect" data, would be foolish and perhaps even irresponsible.●